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सं० 15]

नई दिल्ली, सविहार, अप्रैल 10, 1982/चैत्र 20, 1904

No. 15]

NEW DELHI, SATURDAY, APRIL 10, 1982/CHAITRA 20, 1904

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 25 मार्च, 1982

सूचना

का० भा० 1407.—नोटरीज नियम, 1956 के नियम 6 के प्रमुखता से सक्षम प्राधिकार द्वारा यह सूचना दी जाती है कि श्री गुरुचरण सिंह डिपो, घघिबकला, 48, सी सी कालोनी, दिल्ली 110007 ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5 (34)/81-न्या०]

का० सी० डी० गंगवानी, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Legal Affairs)

New Delhi, the 25th March, 1982

NOTICE

S.O. 1407.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 1500-G.I./81—1

4 of the said Rules, by Shri Gurcharan Singh Dhillon, Advocate, B-48, C.C. Colony, Delhi-110007 for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(34)/81Judl.]

K. C. D. GANGWANI, Competent Authority

(विधायी विभाग)

नई दिल्ली, 31 मार्च, 1982

का० भा० 1408.—केन्द्रीय सरकार, दरगाह कबाजा साहिब अधिनियम, 1955 (1955 का 36) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, निम्नलिखित व्यक्तियों की, जो हनकी मुस्लिम हैं, दरगाह समिति, अजमेर के सदस्यों के रूप में तात्कालिक प्रभाव से नियुक्त करने हैं, अर्थात्—

- (1) डा० इस्मियाज अहमद, अनुपूर्व सयद सदस्य पञ्जाब शाकशर, गिरिडीह, जिला हजारीबाग, बिहार
- (2) श्री सयद हाशिम अली, आई० ए० एम० 3-6-237, रोड, नं० 28, हिमायत नगर, हैदराबाद-500029
- (3) मोलाना मोहम्मद जलालुद्दीन अब्दुल मनीन, किरंगी महल, लखनऊ
- (4) श्री अब्दुल रहमान खात नस्तर, विधान सभा सदस्य, 88/287, जमनगंज, कानपुर।

[का० सं० 11(5)/81 न्या०]

प्रमलम सहृद, उप सचिव

(1597)

(Legislative Department)

New Delhi, the 31st March, 1982

S.O. 1408.—In exercise of the powers conferred by section 5 of the Durgah Khwaja Saheb Act, 1955 (36 of 1955), the Central Government hereby appoints, with immediate effect, the following persons, who are Hanafi Muslims, as members of the Durgah Committee, Ajmer, namely :—

- (1) Dr. Imtiaz Ahmed, ex-M.P., Pachamba, P.O. Givdih, District Hazaribagh, Bihar.
- (2) Shri Syed Hashim Ali, I.A.S., 3-6-237, Road No. 28, Himayat Nagar, Hyderabad 500022.
- (3) Maulana Muhammad Jalal Uddin Abdul Matin, Firangi Mahal, Lucknow.
- (4) Sri Abdul Rahman Khan Nashtar, M.L.A., 88/267, Chamanganj, Kanpur.

[F. No. 11(5)/81-Wakf]
ASLAM MAHMUD, Dy. Secy.

बिज्ञान संज्ञासूच्य

(राजस्व विभाग)

नई दिल्ली, 25 जनवरी, 1982

आय कर

क्रा० आ० 1409.—इस विभाग की अधिसूचना सं० 3870 (फा० सं० 203/3/80-आई० टी० ए०-II) तारीख 19-2-81 के अनुक्रम में, सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6 के साथ पठित, अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक और अनुप्रयुक्त विज्ञान के क्षेत्र में "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुसंधान किया है अर्थात् :—

- (i) यह कि आदि शंकर अद्वैत अनुसंधान केन्द्र निम्नलिखित परियोजनाओं में अनुसंधान कार्य करने के लिए प्राप्त राशियों का पूषक लेखा रखेगा :—
 - (क) सिल्वर नमक की चिर उपस्थिति में एन्टेल यौगिक के साथ एन्कीडाल का आक्सीकरण।
 - (ख) हैक्सा मिथाइन फल्कोटिक डीड्रामाइट में (बेस एनए एम्ब० पी० ओ० की चिर उपस्थिति में) ह्यूड्रोसिस का प्रयोग करके एन्कीडाल का आक्सीकरण
 - (ग) आर्याल एक्सचेंज रेसिन का बेंच स्केल सिथिसिस।
- (ii) यह कि उक्त केन्द्र प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रतिवर्ष 30 अप्रैल तक ऐसे प्राणवों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।
- (iii) यह कि उक्त केन्द्र वार्षिक विवरणी और लेखाओं का विवरण सम्बद्ध आयकर आयुक्त को भेजेगा।

संस्था

आदि शंकर अद्वैत अनुसंधान केन्द्र, मद्रास

यह अधिसूचना 1-4-1981 से 31-3-1984 तक तीन वर्ष की अवधि के लिए प्रभावी है।

[सं० 4335/फा० सं० 203/201/81 आई० टी० ए० 2]
एम० जी० सी० गोयल, सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 25th January, 1982

INCOME-TAX

S.O. 1409.—In continuation of this office Notification No. 3870(F. No. 203/3/70-ITA, II) dated 19-2-1981, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" in the area of other natural and applied sciences subject to the following conditions :—

- (i) That the Adi Sankara Advaita Research Centre will maintain a separate account of the sums received by it for undertaking research in the undermentioned projects :
 - (a) Oxidation of Alcohols with N-halo compounds in presence of Silver Salts.
 - (b) Oxidation of Alcohols using halogens in Hexa Methyl phosphoric triamide (in presence of a base NaH_2PO_4)
 - (c) Bench scale synthesis of Ion Exchange Resins.
- (ii) That the said Centre will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Centre will submit the Annual return and Statement of Accounts to the concerned Commissioner of Income-tax every year.

INSTITUTION

Adi Sankara Advaita Research Centre, Madras.
This notification is effective for a period of three years from 1-4-1981 to 31-3-1984.

[No. 4335/F. No. 203/201/81-ITAI]
M. G. C. GOYAL, Under Secy.

नई दिल्ली, 22 फरवरी, 1982

(आय-कर)

क्रा० आ० 1410.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "बाम्बे सोसियल सोसाइटी" को निर्धारण वर्ष 1978-79 से 1981-82 के अवधि के लिए आय-कर के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4486 फा० सं० 197/17/80 आ० क (ए 1)]

New Delhi, the 22nd February, 1982

(INCOME-TAX)

S.O. 1410.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bombay Salesian Society" for the purpose of the said section for the period covered by the assessment years 1978-79 to 1981-82.

[No. 4486/F. No. 197/17/80-IT(AD)]

नई दिल्ली, 2 मार्च, 1982

(आय-कर)

क्रा० आ० 1411.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "मिनागरेम सचें मंगलौर"

को निर्धारण वर्ष 1971-72 से 1981-82 वर्ष के लिए और उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4493/फा० सं० 197/96/81 आ० क (ए० 1)]

New Delhi, the 2nd March, 1982

INCOME-TAX

S.O. 1411.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Milagres Church, Managalore" for the purpose of the said section for the period covered by the assessment years 1971-72 to 1981-82.

[No. 4493/F. No. 197/96/81-IT(AI)]

आय-कर

का० आ० 1412.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री सम्मेल शिखरजी तीर्थ, पारसनाथ" को निर्धारण वर्ष 1975-76 से 1980-81 वर्ष के लिए और उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4494/फा० सं० 197/110/78 आ० क (ए० 1)]

INCOME-TAX

S.O. 1412.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Sammel Shikherjee Thirth, Parasnath" for the purpose of the said section for the period covered by the assessment years 1975-76 to 1980-81.

[No. 4494/F. No. 197/110/78-IT(AI)]

आय-कर

का० आ० 1413.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "डाइसिस ग्रौफ थंजावूर, सोसायटी" को निर्धारण वर्ष 1979-80 से 1981-82 वर्ष के लिए और उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4495/फा० सं० 197/249/80 आ० क (ए० 1)]

INCOME-TAX

S.O. 1413.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Diocese of Thanjavur Society" for the purpose of the said section for the period covered by the assessment years 1979-80 to 1981-82.

[No. 4495/F. No. 197/249/80-IT(AI)]

नई दिल्ली 11 मार्च 1982

आय-कर

का० आ० 1414.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "सीता राम भंडार" को निर्धारण वर्ष 1978-79 से 1981-82 वर्ष के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 1509/फा० सं० 197/197/80 आ० क (ए० 1)]

New Delhi, the 11th March, 1982

INCOME-TAX

S.O. 1414.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sitaram Bhandar" for the purpose of the said section for and from the assessment years 1978-79 to 1981-82.

[No. 4509/F. No. 197/197/80-IT(AI)]

आय-कर

का० आ० 1415.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्री वेंकटचलपति प्रसाचट्टिरम ट्रस्ट कपिष्ठलम" को निर्धारण वर्ष 1982-83 से 1984-85 वर्ष के लिए और उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4511/फा० सं० 197/136/81 आ० क (ए० 1)]

INCOME-TAX

S.O. 1415.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Venkatachalapathi Anna Chattiram Trust, Kapisthalam" for the purpose of the said section for the period covered by the assessment years 1982-83 to 1984-85.

[No. 4511/F. No. 197/136/81-IT(AI)]

आय-कर

का० आ० 1416.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "अरुलमिगु सुब्रामण्यम स्वामी थिरुक्कोइल (मरुथामलाई मंदिर) कोयंबटूर" को निर्धारण वर्ष 1972-73 से 1980-81 वर्ष के लिए और उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4512/फा० सं० 197/14/81 आ० क (ए० 1)]

मिनाप जैन, प्रवर सचिव

INCOME-TAX

S.O. 1416.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Arulmigu Subramania Swamy Thirukkoil (Maruthamalai Temple), Coimbatore" for the purpose of the said section for the period covered by the assessment years 1972-73 to 1980-81.

[No. 4512/F. No. 197/14/81-IT(AI)]
MILAP JAIN, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 18 मार्च, 1982

का० आ० 1417.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एनडूबारा श्री वी० वी० एन० नारायणन को बुन्देलखण्ड क्षेत्रीय ग्रामीण बैंक, टीकमगढ़ का अध्यक्ष नियुक्त करती है तथा 1-4-1982 से प्रारम्भ होकर 31-3-1985 को समाप्त होने वाली अवधि की उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री वी० वी० एन० नारायणन अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ० 8-46/79-आर० आर० वी०]
राम बेहरा, प्रवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 18th March, 1982

S.O. 1417.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri V. V. L. Narayanan as the Chairman of the Bundelkhand Kshetriya Gramin Bank, Tikamgarh and specifies the period commencing on the 1-4-1982 and ending with the 31-3-1985 as the period for which the said Shri V. V. L. Narayanan shall hold office as such Chairman.

[No. F. 8-46/79-RRB]

RAAM BEHRA, Under Secy.

नई दिल्ली, 23 मार्च, 1982

New Delhi, the 23rd March, 1982

क्रा० आ० 1418.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखण्ड (छ) के अनुसरण में केन्द्रीय सरकार एतद्वारा नीचे की सारणी के कालम (2) में उल्लिखित व्यक्तियों को 1 अप्रैल, 1982 से उनमें से प्रत्येक के सामने उसी सारणी के कालम (3) में उल्लिखित व्यक्तियों के स्थान पर सारणी के कालम (1) में दिये गए राष्ट्रीयकृत बैंकों के निवेशक के रूप में नियुक्त करती है :—

सारणी

(1)	(2)	(3)
बैंक ऑफ इंडिया	श्री बी० वैकट राव, प्रभारी अधिकारी, ग्रामीण आयोजना तथा ऋण कक्ष, भारतीय रिजर्व बैंक, शाहीद भगत सिंह रोड, बम्बई-400023	डा० एम० बी० शिव- माप्पी
पंजाब नेशनल बैंक	श्री एम० एल० मन्वेदा, प्रबन्धक, भारतीय रिजर्व बैंक, संभव मार्ग, नयी दिल्ली-110001	श्री बी० बी० कदम
यूनाइटेड कमर्शियल बैंक	श्री सी० बी० नायर, प्रबन्धक, भारतीय रिजर्व बैंक, कलकत्ता-700001	श्री के० सी० शर्मा
सिन्डिकेट बैंक	श्री एम० एल० इनासू, संयुक्त मुख्य अधिकारी, बैंकिंग परिचालन तथा विकास विभाग, भारतीय रिजर्व बैंक कफे परेड, बम्बई-400005	श्री एम० के० देसाई
यूनिजन बैंक ऑफ इंडिया	श्री टी० के० वेलायुधम, प्रधानाचार्य, बैंकर्स ट्रेनिंग कालिज, भारतीय रिजर्व बैंक, वीर सावरकर मार्ग, बम्बई-400028	श्री एम० एल० इनासू
बैंक ऑफ महाराष्ट्र	श्री पी० के० पार्थसारथी, संयुक्त मुख्य अधिकारी, बैंकिंग परिचालन तथा विकास विभाग, भारतीय रिजर्व बैंक, कफे परेड, बम्बई-400005	श्री जे० जी० गोगटे
इंडियन ओवरसीज बैंक	डा० के० के० मुखर्जी, संयुक्त मुख्य अधिकारी, बैंकिंग परिचालन तथा विकास विभाग, भारतीय रिजर्व बैंक, फोर्ट ग्लैस, मद्रास-600001	श्री डी० जी० बोरकर

[सं० एफ० 9/6/82-बी०ओ०-1(1)]

S. O. 1418.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints with effect from 1st April, 1982 the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in the corresponding entry in column (3) of the said Table :

TABLE

(1)	(2)	(3)
Bank of India	Shri B. Venkata Rao, Officer-in-charge, Rural Planning & Credit, Cell, Reserve Bank of India, Shahid Bhagat Singh Road, Bombay-400023.	Dr. H. B. Shiva- muggi
Punjab National Bank	Shri M. L. Sachdeva Manager, Reserve Bank of India, Parliament Street, New Delhi-110001.	Shri V. B. Kadam
United Commer- cial Bank	Shri C. V. Nair, Manager, Reserve Bank of India, Calcutta-700001.	Shri K. C. Sharma
Syndicate Bank	Shri M. L. Inasu, Joint Chief Officer, Department of Bank- ing Operation & Deve- lopment, Reserve Bank of India, Cuffe Parade, Bombay-400005.	Shri M. K. Desai
Union Bank of India	Shri T. K. Velayudham, Principal, Bankers Training College, Reserve Bank of India, Veer Savarkar Marg, Bombay-400028.	Shri M. L. Inasu
Bank of Maharashtra	Shri P. K. Parthasa- rathy, Joint Chief Officer, Department of Banking Operations & Development, Reserve Bank of India, Cuffe Parade, Bombay-400005.	Shri J. G. Gogate
Indian Overseas Bank	Dr. K. K. Mukherjee, Joint Chief Officer, Department of Bank- ing Operations & Development, Reserve Bank of India, Fort Glacis, Madras-600001.	Shri D. G. Borkar

[F. No. 9/6/82-B.O. I (1)]

का० आ० 1419.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (छ) के अनुसरण में, भारत सरकार डा० के० के० मुखर्जी के स्थान पर श्री के० सी० शर्मा, उप मुख्य अधिकारी, औद्योगिक ऋण विभाग, भारतीय रिजर्व बैंक, बम्बई का एतद्द्वारा 1 अप्रैल, 1982 से विजया बैंक के निदेशक के रूप में नियुक्त करती है।

[संख्या एक० 9/6/82-बी० प्रो०-1(2)]

S.O. 1419.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby appoints Shri K. C. Sharma Deputy Chief Officer, Industrial Credit Department, Reserve Bank of India, Bombay as a Director of the Vijaya Bank with effect from 1st April 1982 vice Dr. K. K. Mukherjee.

[No. F. 9/6/82-B.O. I(2)]

नई दिल्ली, 30 मार्च, 1982

का० आ० 1420.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री के०एल० राय को पहली अप्रैल, 1982 से आरम्भ होने वाली और 30 अप्रैल 1982 को समाप्त होने वाली और अवधि के लिए यूनाइटेड बैंक आफ इंडिया के प्रबंध निदेशक के रूप में नियुक्त करती है।

[सं० एक० 9/7/82-बी० प्रो०-1(1)]

New Delhi, the 30th March, 1982

S.O. 1420.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby re-appoints Shri K.L. Roy as the Managing Director of the United Bank of India for a further period commencing on 1st April, 1982 and ending with 30th April, 1982.

[No. F. 9/7/82-BO. I(1)]

का० आ० 1421.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खंड 7 के साथ पठित खंड 5 के उपखंड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री के०एल० राय० को, जिन्हें पहली अप्रैल, 1982 से यूनाइटेड बैंक आफ इंडिया के प्रबंध निदेशक के रूप में पुनः नियुक्त किया गया है, उसी तारीख से यूनाइटेड बैंक आफ इंडिया के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[संख्या एक० 9/7/82/बी० प्रो०-1(2)]

अ० बा० मीरचन्दानी उप सचिव

S.O. 1421.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. L. Roy, who has been re-appointed as Managing Director of the United Bank of India with effect from 1st April, 1982 to be the Chairman of the Board of

Directors of the United Bank of India with effect from the same date.

[No. F. 9/7/82-BO. I(2)]
C. W. MIRCHANDANI, Dy Secy.

नई दिल्ली, 30 मार्च, 1982

का० आ० 1422.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 (2) के उपबन्ध 12 फरवरी, 1984 तक यूनिन बैंक आफ इंडिया पर उस सीमा तक लागू नहीं होंगे जहाँ तक इसका सम्बन्ध बनारस स्टेट बैंक लि० वाराणसी के शेयरों में इसकी धारिता से है।

[संख्या 15/4/82-बी० प्रो०-III]

New Delhi, the 30th March, 1982

S.O. 1422.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 19(2) of the said Act shall not apply till 12th February 1984 to Union Bank of India insofar as they relate to its holding in shares of Banaras State Bank Ltd., Varanasi.

[No. 15/4/82-B.O.III]

का० आ० 1423.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 10 ख की उपधारा (1) और (2) के उपबन्ध बनारस स्टेट बैंक लिमिटेड, वाराणसी पर, 31 मई, 1982 तक प्रयोज्य रहेंगे जब तक कि उनका सम्बन्ध इस बैंक द्वारा धारित अक्षम सम्पत्ति, अथवा पूर्ण-कालिक अध्यक्ष तथा मुख्य कार्यपालक अधिकारी की नियुक्ति होने तक, इनमें से जो भी पहले हो, तक लागू नहीं होंगे।

[संख्या 15/5/82 बी० प्रो०-III]

S.O. 1423.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of Reserve Bank of India, declares that the provisions of sub-sections (1) and (2) of section 10B of the said Act, shall not apply to the Banaras State Bank Limited, Varanasi, till 31st May, 1982 or till appointment of the next whole-time Chairman and Chief Executive Officer, whichever is earlier.

[No. 15/5/82-B.O.III]

का० आ० 1424.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्द्वारा घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबन्ध 25 मार्च, 1982 तक बैंक आफ तमिलनाडु लि०, तिरुनिलवेली पर उस सीमा तक लागू नहीं होंगे जहाँ तक कि उनका सम्बन्ध इस बैंक द्वारा धारित अक्षम सम्पत्ति, अथवा तंजा लैक्स-सर्वेक्षण (मर्बे) संख्या 200-7,8 और 10 ई०-1 जिसका कुल रकबा 19 सैण्ट्स है और जो तमिलनाडु में तिरुनिलवेली जिले के सरसवेरी ग्राम में अब स्थित है।

[संख्या 15/6/82-बी० प्रो०-III]

एन० डी० बल्लु, सचिव

S.O. 1424.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the

Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply upto the 25th March, 1983 to the Bank of Tamilnadu Ltd. Tirunelveli, in respect of the immovable property, viz. Nanja Lands having Survey Nos-200-7, 8 and 10E.1 measuring in all 19 cents held by it at Sermadevi Village, Tirunelveli District, Tamil Nadu.

[No. 15/682-B.O.III]
N. D. BATRA, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 10 अप्रैल, 1982

का० आ० 1425.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक और समीचीन है कि कयर मैटिंग्स का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाए, और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए निम्नलिखित प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम 2 की अपेक्षानुसार निर्यात निरीक्षण परिषद् को भेज दिया है ;

अतः केन्द्रीय सरकार उक्त उप-नियम के अनुसरण में और भारत सरकार के भूतपूर्व विदेश मंत्रालय की कयर मैटिंग्स से संबंधित अधिसूचना सं० का० आ० 1386 तारीख 3 जून, 1972 को अधिक्रान्त करते हुए, स्वीकृत या अस्वीकृत की जाने वाली वस्तुओं के संबंध में उक्त प्रस्तावों को उन लोगों की जानकारी के लिए प्रकाशित करती है, जिनसे उनके प्रभावित होने की संभावना है।

सूचना दी जाती है कि उक्त प्रस्ताव के बारे में कोई आक्षेप या सुझाव देने का हक्क कोई व्यक्ति उन्हे इस आदेश के राजपत्र में प्रकाशित होने की तारीख से पैंतालीस दिन के भीतर निर्यात निरीक्षण परिषद् न्युनिसिपल मार्केट डिपार्ट्मेंट, 3- सरस्वती मार्ग, नई दिल्ली-5 को भेज सकता है।

प्रस्ताव

(1) अधिसूचित करना कि कयर मैटिंग्स का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा,

(2) इस आदेश के उपाबंध—I में दिए गए कयर मैटिंग्स के निर्यात (निरीक्षण) नियम, 1982 के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकार को क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो निर्यात से पूर्व ऐसे कयर मैटिंग्स को लागू होगा ;

(3) (क) इस आदेश के उपाबंध—II में दिए गए कयर मैटिंग्स के लिए विनिर्देशों को कयर मैटिंग्स के लिए मानक विनिर्देशों के रूप में मान्यता देना ;

(ख) विदेशी क्रेताओं द्वारा अनुमोदित नमूने या विनिर्देशों को, मान्यता देना परन्तु यह कि ऐसे नमूने या विनिर्देश उक्त म (क) के अधीन मान्यता प्राप्त मानक विनिर्देशों की न्यूनतम अपेक्षाओं से कम न हों ;

(ग) ऐसे विनिर्देशों को, जो उपरोक्त म (क) के अधीन नहीं आता है, परन्तु जो इस प्रयोजन के लिए निर्यात निरीक्षण परिषद् द्वारा नियुक्त विशेषों के पैल द्वारा बनाए गए हों, मान्यता देना।

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे कयर मैटिंग्स ने निर्यात को तब तक प्रतिषिद्ध करना जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित निर्यात निरीक्षण अधिकरणों में से किसी एक के द्वारा जारी किया गया इस आशय का प्रमाण-पत्र न हो कि कयर मैटिंग्स

उप-पैरा (3) के अंतर्गत मान्य विनिर्देशों के अनुरूप है और निर्यात योग्य है।

2. इस आदेश को कोई भी बात भारी क्रेताओं को नुक़, भूमि या वायु मार्ग द्वारा कयर मैटिंग्स के नमूने के निर्यात को लागू नहीं होगी।

3. इस आदेश में 'कयर मैटिंग्स' से बिजली करघा और हथकरघे पर निमित्त कयर मैटिंग्स अभिप्रेत है, और

(1) कयर मैटिंग की षट्पाईयां,

(2) कयर मैटिंग के गलीचे,

(3) कयर के मुरजोक,

(4) कयर के कालोन (अल्लपी कालीन),

(5) कयर मैटिंग के कोई अन्य प्रकार,

इसके अंतर्गत हैं।

उपाबंध—I

कयर मैटिंग निर्यात (निरीक्षण) नियम, 1972 का अधिक्रान्त करने हुए, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अधीन बनाए जाने वाले प्रस्तावित नियमों का प्रारूप।

1. संक्षिप्त नाम और प्रारम्भ :—

(1) इन नियमों का संक्षिप्त नाम कयर मैटिंग निर्यात (निरीक्षण) नियम, 1982 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषा :—

इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) 'अधिनियम' से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है ;

(ख) 'अधिकरण' से अधिनियम की धारा 7 के अधीन मान्यता प्राप्त निर्यात निरीक्षण अधिकरणों में से कोई अधिकरण अभिप्रेत है ;

(ग) 'कयर मैटिंग' से बिजली करघा और हथकरघे पर विनिर्मित कयर मैटिंग अभिप्रेत है और सम्मिलित है—

(i) कयर मैटिंग की षट्पाईयां,

(ii) कयर मैटिंग का गलीचा,

(iii) कयर मुरजोक ;

(iv) कयर के कालोन (अल्लपी कालीन)

(v) कयर मैटिंग के कोई अन्य प्रकार ;

इसके अंतर्गत हैं।

3. निरीक्षण का आधार :—निर्यात के लिए आशयित कयर मैटिंग का निरीक्षण इस दृष्टि से किया जाएगा कि कयर मैटिंग अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त विनिर्देशों के अनुरूप है। जिन्हें इसमें इसके पश्चात् मान्यता प्राप्त कहा गया है।

4. निरीक्षण की प्रक्रिया :—(1) कयर मैटिंग का निर्यात करने का हक्क कोई निर्यातकर्ता अपने ऐसा करने के आशय की सूचना विहित प्रारूप पर लिखित रूप में निर्यात निरीक्षण अधिकरण के निकटतम—कार्यालय को देगा।

(2) इस प्रयोजन के लिए प्रत्येक सूचना पोत लदान की आशयित तारीख से कम से कम बहत्तर घंटे पहले दी जाएगी।

(3) उप-नियम (2) में निर्दिष्ट सूचना प्राप्त होने पर अधिकरण निर्यात निरीक्षण परिषद् द्वारा इस संबंध में समय-समय पर जारी किए गए अनुदेशों के अनुसार कयर मैटिंग के परेण का इस दृष्टि से

निरीक्षण करेगा व मान्यता प्राप्त विनिर्देशों की अपेक्षाओं के अनुरूप है और निर्धारित अधिकरण को सभी सुविधाएं देगा जिससे वह ऐसा निरीक्षण कर सके।

(4) अपना यह समाधान हो जाने पर कि कयर मीटिंग का परेण मान्यता प्राप्त विनिर्देशों की अपेक्षाओं के अनुरूप है अधिकरण नियम 4 के उप-नियम (1) के अधीन सूचना और परेण के विवरण प्राप्त होने पर 3 दिन के भीतर निर्गतकर्ता को यह घोषणा करते हुए प्रमाण-पत्र जारी करेगा कि परेण मान्यता प्राप्त विनिर्देशों के अनुरूप है और नियत योग्य है :

परन्तु जहां अधिकरण का ऐसा समाधान नहीं होता है वहां वह उक्त तीन दिन की अवधि के भीतर ऐसा प्रमाण-पत्र देने से इंकार कर देगा और ऐसे इंकार की सूचना उसके कारणों सहित नियतकर्ता को देगा।

5 निरीक्षण का स्थान :—इन नियमों के अधीन प्रत्येक निरीक्षण,

(क) उस परिसर पर किया जाएगा जहां नियतकर्ता कयर मीटिंग का परेण निरीक्षण के लिए प्रस्तुत करता है, परन्तु यह कि इस प्रयोजन के लिए वहां पर्याप्त सुविधाएं विद्यमान हों, या

(ख) ऐसे अन्य स्थान पर, जो इस प्रयोजन के लिए अधिकरण द्वारा विनिश्चित किया जाए।

6. अपील :—नियम 4 के अधीन प्रमाण-पत्र देने से अधिकरण द्वारा इंकार किए जाने से व्यथित कोई व्यक्ति ऐसे इंकार की सूचना प्राप्त होने से बम दिन के भीतर, केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्त अपील पैनल को, जिसमें कम से कम तीन और अधिक से अधिक सात व्यक्ति होंगे, अपील कर सकेगा।

7. निरीक्षण फीस :—इन नियमों के अधीन कयर मीटिंग और कयर मीटिंग की चटाईयों के निरीक्षण के लिए फीस निम्नलिखित ढरों से निरीक्षण फीस के रूप में दी जाएगी :—

(क) (i) कयर मीटिंग 2—5 मीटर और उससे कम चौड़ाई वाले कयर मीटिंग के लिए कम से कम 101 रुपये प्रति परेण के अधीन रहते हुए एक रुपया प्रति पैकेट/रोल।

कयर मीटिंग के गलीचों, कयर के कालीन और कयर मुरजोक 2—5 मीटर उससे कम चौड़ाई वाले कयर मीटिंग के गलीचों, कयर के कालीनों और कयर मुरजोक के कम से कम 101 रुपये प्रति परेण के अधीन रहते हुए एक रुपया प्रति पैकेट/रोल।

(ii) कयर मीटिंग 2—5 मीटर से अधिक चौड़ाई वाले कयर मीटिंग के लिए कम से कम 30 रुपये के अधीन रहते हुए 3 रुपये प्रति पैकेट/रोल।

कयर मीटिंग के गलीचों, कयर के कालीन और कयर मुरजोक 2—5 मीटर से अधिक चौड़ाई वाले कयर मीटिंग के गलीचों, कयर के कालीनों और कयर के मुरजोक के लिए कम से कम 30 रुपये के अधीन रहते हुए 3 रुपये प्रति पैकेट/रोल।

(ख) कयर मीटिंग की चटाईयों का कम से कम 6 रुपये के अधीन रहते हुए 0.60 रुपये प्रति पैकेट।

उपबंध II

कयर मीटिंग के लिए विनिर्देश

1. साधारण अपेक्षाएं :—

1.1 क्रेता और विक्रेता के बीच हुए करार के अनुसार कयर मीटिंग विरजित और अविरजित कयर सूत में विनिर्मित किया जाएगा। सूत को प्लाई का होगा।

1.2 कयर मीटिंग मजबूती और समान रूप से बुना जाएगा।

1.3 कयर मीटिंग सादा, रंगा हुआ और स्टेसिल किया हुआ होगा या उनमें डिजाइन बुने हुए होंगे।

1.4 क्रेता और विक्रेता के बीच हुए करार के अनुसार कयर मीटिंग के गलीचों और मीटिंग की चटाईयां बनाई जा सकती हैं। ऐसी दशा में मीटिंग की चटाईयों या गलीचों के कटे हुए किनारों का या तो उचित सूती धागे से या जूट से सिला जाएगा या जूट रेक्सिन या चमड़ा जालन सादी, रंगीन या असंस्कृत) से बांधा जाएगा या उसके किनारे चौड़े किए जाएंगे और मीटिंग के मुख्य भाग पर या गलीचों या अन्तर्ग्रथित या किनारों पर रबड़ या मरेस लगाया जाएगा या रबड़ फाइबर लगाया जाएगा।

1.5 कयर मीटिंग लवण या अन्य बाह्य सामग्री के साथ सादा नहीं जाएगा।

2. विनिश्चित अपेक्षाएं :

2.1 विशेष क्वालिटी की कयर मीटिंग का संख्यांक सूची में दिए गए विशेष क्वालिटी के संख्यांक की अपेक्षाओं के अनुसार होगा या इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देशों के अनुसार होगा।

2.2 संरचना :—विशेष क्वालिटी संख्यांक की कयर मीटिंग नीचे सारणी में दिए गए संरचनात्मक विवरण के अनुरूप होगी या इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देशों के अनुसार होगी।

2.3 सिरों और बनाना :—कयर मीटिंग के ताने के सिरों की स्थूलतम संख्या तथा प्रति डेसीमीटर बनाने की संख्या नीचे सारणी में दी गयी अपेक्षाओं के अनुसार होगी या इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देशों के अनुसार होगी।

2.4 भार :—प्रति वर्ग मीटर भार वह होगा जो नीचे सारणी में विनिश्चित किया गया है या इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अंतर्गत मान्यता प्राप्त विनिर्देशों के अनुसार होगा।

2.5 विमाण :—कयर मीटिंग की विमाण वे होंगी जो क्रेता और विक्रेता के बीच हुए करार के अनुसार निर्यात सविदा में विनिश्चित की गयी है।

2.6 सिरों बाने, भार विमाणों के संबंध में अनुज्ञेय सहायता वह होगी जो सारणी में दी गयी है।

3. पैकिंग :

3.1 कयर मीटिंग की पैकिंग क्रेता और विक्रेता के बीच हुए करार के अनुसार होगी। पैकेजों कम से कम 217 ग्राम प्रतिमीटर (7 औंस प्रति गज) वाले नए हेसियन में सपेटे जाएंगे।

3.2 प्रत्येक पैकेज पर निम्नलिखित विवरण लिखा जाएगा, अर्थात् :—

- (क) अधिसूचित क्वालिटी संख्यांक और ब्रांड के नाम,
- (ख) आकार,
- (ग) पैकेज में टुकड़ों की संख्या,
- (घ) निर्यातकर्ता/विदेशी क्रेता का कोड/नाम यदि कोई हो,
- (ङ) पैकेजों का क्रम संख्यांक
- (च) कुल भार,
- (छ) पोत लदान चिह्न।

सारणी

(क) हथकरघे की कयम मैटिंग का संरचनात्मक विवरण

कबालिटी संख्यांक	ताना		बाना				
	सूत की कवा- लिटी	लगभग स्कोरेज न्यूनतम	मिरो/ट्रेसी मीटर न्यूनतम	सूत की कबालिटी	अनुमानित स्कोरेज	न्यूनतम प्रति ट्रेसी मीटर बाना	भाग कि० ग्राम/ मीटर
1	2	3	4	5	6	7	8
दूहरे ट्रैडिल की (सादा) बुनाई.							
एम० 2 ए०	ऐजेंगो ए	15	33	वाइक्रोम/बीच	..	11	1.50
एम० 2 ए० 2	ऐजेंगो ए	14	31	यथोक्त	..	11	1.55
एम० 2 ए० 3	ऐजेंगो ए	13	29	यथोक्त	..	10	1.62
एम० 2 ए० 4	ऐजेंगो ए	12	27	यथोक्त	..	9	1.70
एम० 2 आर० 1	आर्टरी	15	33	यथोक्त	..	11	1.42
एम० 2 आर० 2	आर्टरी	14	31	यथोक्त	..	11	1.47
एम० 2 आर० 3	आर्टरी	13	29	यथोक्त	..	10	1.55
एम० 2 आर० 4	आर्टरी	12	27	यथोक्त	..	9	1.62
एम० 2 बी० 1	वाइक्रोम	15	33	कालीकट/तट	..	9	1.35
एम० 2 बी० 2	वाइक्रोम	14	30	यथोक्त	..	9	1.42
एम० 2 बी० 3	वाइक्रोम	12	27	यथोक्त	..	9	1.52
एम० 2 बी० ओ०	बीच	11	20	तट/कठोर बिना भिगोया	..	9	1.18
एम० 2 बी० 1	बीच	10	22	यथोक्त	..	9	1.30
एम० 2 बी० 2	बीच	9	20	यथोक्त	..	9	1.40
एम० 2 एस० 1	ऐजेंगो ए	17	39	वाइक्रोम	..	12	1.40
एम० 2 एम० 2	आर्टरी	14	31	ओली	..	11	1.50
एम० 2 एम० 3	वाइक्रोम	11	22	वाइक्रोम/बीच	..	9	1.25
एम० 2 एम० 4	ऐजेंगो	13	19	वाइक्रोम	..	10	1.40
एम० 2 एम० 5	बेपोर	7	15	बीच	..	7	2.10
एम० 2 एम० 6	अष्टमुड़ी	9	18	वाइक्रोम	..	9	1.90
एम० 2 एम० 7	बेपोर	6	14	बेपोर	..	5	2.65
एम० 2 एम० 8	क्वीलेडी	8	20	वाइक्रोम	..	7	2.10
एम० 2 एम० 9	क्वीलेडी	9	18	क्वीलेडी	..	7	2.10

जालीदार घटाईयां :-

एम० 2 एम० 1	ऐजेंगो ए	14	9	वाइक्रोम	..	8	0.650
एम० 2 एम० 2	बीच	9	8	बीच	..	7	0.700
एम० 2 एम० 3	आर्टरी	15	* 14	आर्टरी	..	14	0.875
एम० 2 एम० 4	ऐजेंगो ए	12	** 19	आर्टरी	..	11	1.400

* ताने को जोड़ों में व्यवस्थित किया जाएगा, जोड़े की प्रत्येक लड़ी दूसरी के साथ विकल्प रूप से बुनी जाएगी।

** ताने को तीन लड़ियों के समूह में व्यवस्थित किया जाएगा, प्रत्येक समूह का जोड़ा पारस्परिक जोड़े के साथ विकल्प रूप से बुना जाएगा।

1	2	3	4	5	6	7	8
ट्रेडिल की टोकरी बुनाई (संरचना 3×2 या 2×2 या 3×3)							
एम० 2 बी० ए० 1	ऐजेंगो ए	15	30	ऐजेंगो ए/आर्टरी	..	17	1.72
एम० 2 बी० ए० 2	ऐजेंगो ए	14	28	यथोक्त	..	17	1.80
एम० 2 बी० ए० 3	ऐजेंगो ए	13	26	यथोक्त	..	16	1.82
एम० 2 बी० ए० 4	ऐजेंगो ए	15	30	वाइक्रोम	..	17	1.62
एम० 2 बी० ए० 5	ऐजेंगो ए	14	28	वाइक्रोम	..	17	1.68
एम० 2 बी० ए० 6	ऐजेंगो ए	13	26	वाइक्रोम	..	16	1.72
एम० 2 बी० आर० 1	आर्टरी	15	30	आर्टरी	..	17	1.68
एम० 2 बी० आर० 2	आर्टरी	14	28	आर्टरी	..	17	1.72
एम० 2 बी० आर० 3	यथोक्त	13	26	यथोक्त	..	16	1.80
एम० 2 बी० आर० 4	यथोक्त	15	30	वाइक्रोम	..	17	1.58

1	2	3	4	5	6	7	8
एस 2 बी प्रार 5	यथोक्त	14	28	यथोक्त	..	17	1.61
एस 2 बी प्रार 6	यथोक्त	13	26	यथोक्त	..	16	1.68
एस 2 बी बी 1	वाइकोम	14	28	यथोक्त	..	16	1.47
एस 2 बी बी 2	यथोक्त	13	26	यथोक्त	..	15	1.52
एस 2 बी बी 3	यथोक्त	12	24	यथोक्त	..	15	1.58
एस 2 बी बी 1	बीच	10	20	बीच	..	15	1.38
एस 2 बी एम 1	ऐजेंगो ए	16	34	ऐजेंगो ए	..	17	1.62
एस 2 बी एम 2	प्रष्टमुडी	10	23	वाइकोम	..	14	2.30
एस 2 बी एम 3	ऐजेंगो एम	12	25	ऐजेंगो एम	..	12	2.62
एस 2 बी एम 4	ऐजेंगो ए	16	32	प्रत्युत्तम ऐलो	..	21	1.75
एस 2 बी एम 5	ऐजेंगो ए	14	28	ऐजेंगो	..	24	2.15
	(बुनाई 4×4)						
एस 2 बी एम 6	कवीलेंडी	10	20	कवीलेंडी	..	15	2.95
एस 2 बी एम 7	कवीलेंडी	10	20	कवीलेंडी	..	15	2.95
	(4×4)						
एस 2 बी एम 8	कवीलेंडी	8	20	कवीलेंडी	..	20	3.25
	(8×8)						
एस 2 बी एम 9	रस्सी बांधना	6	11	रस्सी बांधना	..	9	3.80
	(4×4)						
एस 2 बी एम 10	बेपोर	7	16	बेपोर	...	8	3.00
तीन ट्रेडिल नाई :							
एस 3 ए 1	ऐजेंगो ए	16	35	वाइकोम/बीच	..	11	1.58
एस 3 ए 2	यथोक्त	15	33	यथोक्त	..	11	1.62
एस 3 ए 3	यथोक्त	14	31	यथोक्त	..	11	1.68
एस 3 ए 4	यथोक्त	13	29	यथोक्त	..	10	1.75
एस 3 ए 5	यथोक्त	12	27	वाइकोम/बीच	..	10	1.82
एस 3 प्रार 1	प्रार्टरी	16	35	यथोक्त	..	11	1.50
एस 3 प्रार 2	यथोक्त	15	33	यथोक्त	..	11	1.55
एस 3 प्रार 3	यथोक्त	14	31	यथोक्त	..	11	1.60
एस 3 प्रार 4	यथोक्त	13	29	यथोक्त	..	10	1.68
एस 3 प्रार 5	यथोक्त	12	27	यथोक्त	..	10	1.75
एस 3 सी 1	प्रष्ट मुडी	11	24	यथोक्त	..	9	2.08
एस 3 बी 1	वाइकोम	14	31	यथोक्त	..	10	1.40
एस 3 बी 2	यथोक्त	13	29	यथोक्त	..	9	1.45
एस 3 बी 3	यथोक्त	12	27	यथोक्त	..	9	1.52
एस 3 बी 1	बीच	10	22	बीच/कठोर बिना मिगोया	..	9	1.40
एस 3 एम 1	ऐजेंगो ए	15	33	प्रसपाट	..	12	2.00
एस 2 एम 2	ऐजेंगो ए	16	40	वाइकोम/प्रसपाट	..	11	2.00
एस 3 एम 3	वाइकोम	11	24	वाइकोम	..	10	1.70
एस 3 एम 4	ऐजेंगो	15	31	वाइकोम/बीच	..	11	1.52
एस 3 एम 5	यथोक्त	14	34	वाइकोम	..	11	1.88
एस 3 एम 6	ऐजेंगो एम	11	27	प्रष्टमुडी	..	9	2.96
एस 3 एम 7	ऐजेंगो ए	15	37	वाइकोम	..	11	1.80
एस 3 एम 8	ऐजेंगो ए	14	31	ऐजेंगो ए /आर्टरी	..	13	1.67
चार ट्रेडिल बुनाई :							
एस 4 ए ए 1	ऐजेंगो ए	15	33	वाइकोम	..	13	1.70
एस 4 ए ए 2	यथोक्त	14	31	यथोक्त	..	13	1.75
एस 4 ए ए 3	यथोक्त	13	29	यथोक्त	..	13	1.82
एस 4 ए ए 4	यथोक्त	12	27	यथोक्त	..	13	1.90
एस 4 प्रार 1	प्रार्टरी	15	33	यथोक्त	..	13	1.62
एस 4 प्रार 2	यथोक्त	14	31	यथोक्त	..	13	1.68

1	2	3	4	5	6	7	8
एस 4 आर 3	यथोक्त	13	20	यथोक्त	..	13	1.75
एस 4 आर 4	यथोक्त	12	27	यथोक्त	..	13	1.82
एस 4 बी 1	बाइकोम	14	31	यथोक्त	..	12	1.47
एस 4 बी 2	यथोक्त	13	29	यथोक्त	..	12	1.55
एस 4 बी 3	यथोक्त	12	27	यथोक्त	..	12	1.62
एस 4 एम 1	ऐजेंगो ए	16	36	यथोक्त	..	17	1.50
एस 4 एम 2	यथोक्त	15	33	ऐजेंगो ए	..	17	1.75
एस 4 एम 3	आर्टरी	14	31	आर्टरी	..	14	1.75
एस 4 एम 4	ऐजेंगो ए	13	32	बाइकोम	..	15	2.15
एस 4 एम 5	यथोक्त	14	33	यथोक्त	..	14	2.20
एस 4 एम 6	ऐजेंगो ए और सीसल	14	31	सीसल	..	16	1.78
एस 4 एम 7	ऐजेंगो ए और ऐलो	14	31	ऐलो	..	18	1.87
एस 4 एम 8	ऐजेंगो ए	14	33	अलपाट	..	12	2.00
एस 4 एम 9	ऐजेंगो ए	16					
	ऐजेंगो ए	13	29	ऐजेंगो ए	..	15	1.80
एस 4 एम 10	ऐजेंगो ए	16	35	यथोक्त	..	12	1.75
एस 4 एम 11	ऐजेंगो ए	14	31	ऐजेंगो ए	..	14	1.82
एस 4 एम 12	छोली आर्टरी	15	8		..	14	2.55
	सकल आर्टरी	15	23		..	7	
एस 4 एम 13	बेपोर	6	14		..	7	2.80
एस 4 एम 14	बेपोर क्वीलेंडी	8	13		..		
	आर्टरी	14	13	आर्टरी	..	9	2.60
एस 4 एम 15	क्वीलेंडी	8	11				
	ऐजेंगो ए	13	11	ऐजेंगो ए	..	11	1.95
एस 4 एम 16	ऐलो	10	20	क्वीलेंडी	..	9	2.40
एस 4 एम 17	क्वीलेंडी	9	20	क्वीलेंडी	..	9	2.62
एस 4 एम 18	क्वीलेंडी	10	16	क्वीलेंडी	..	14	2.55
एस 4 एम 19	क्वीलेंडी	9	11	ऐजेंगो	..	18	1.96
एस 4 एम 20	ढीपी ऐजेंगो ए	15	5	साधारण ऐजेंगो	..	11	
	सकल ऐजेंगो ए	14	9	अतिरिक्त क्वीलेंडी	..	11	2.20
एस 4 एम 21	ऐजेंगो एम	10	24	ऐजेंगो एम	..	18	3.10
विशेष समकाले नह कयर सैटिंग :							
एस आर 4 एम 1	आर्टरी	15	26	बाइकोम	..	18	1.40
एस आर 4 एम 2	ऐजेंगो ए	14	29	आर्टरी	..	16	1.75
एस आर 4 एम 3	आर्टरी	13	26	बाइकोम	..	16	1.68
बहु शाफ्ट कयर सैटिंग :							
एस ओ एम 1	ऐजेंगो ए	12	30	बाइकोम	..	14	2.00
एस ओ एम 2	ऐजेंगो ए और ऐलो	14	28	ऐजेंगो ए और ऐलो	..	17	1.90
एस ओ एम 3	ऐजेंगो ए	16	35	ऐजेंगो/ए ऐलो/सीसल	..	12	1.70
एस ओ एम 4	क्वीलेंडी	8	20	क्वीलेंडी	..	15	3.20
एस ओ एम 5	ऐजेंगो	15	21	बाइकोम	..	26	1.32
एस ओ एम 6	क्वीलेंडी	9	20	क्वीलेंडी	..	8	2.62
एस ओ एम 7	क्वीलेंडी	9	20	क्वीलेंडी	..	18	4.00
(ख) जिजली करघे से बनी (कयर सैटिंग) :-							
ट्रेडल बुनार्ड डिजाइन							
पी 2 ए 1	ऐजेंगो ए	13	28	बाइकोम	..	13	1.70
पी 2 ए 2	क्वीलेंडी/अष्ट मुंडी	10	22	बाइकोम	..	10	2.00
पी 2 ए 3	यथोक्त	9	16	यथोक्त	..	7	1.80
पी 2 ए 4	क्वीलेंडी	9	21	बाइकोम	..	17	2.40
पी 2 ए 5	ऐजेंगो ए	12	26	आर्टरी/बाइकोम	..	13	1.80

1	2	3	4	5	6	7	8
2 ट्रेडिंग डिजाइन की टोकरी बुनाई :							
पी 2 बी ए 1	ऐजेंगों	12	30	बाइकोम	..	16	2.00
पी 3 बी० ए 2	ऐजेंगा ए	14	32	ऐजेंगो ए/भाटेंरी		18	2.20
पी 2 बी० ए 3	यथोक्त	14	28	यथोक्त		16	2.00
पी 2 बी ए 4	ऐजेंगो ए	13	28	यथोक्त	..	14	2.00
				(डीला बाना)			
पी 2 बी० ए 5	यथोक्त	16	32	ऐजेंगो ए	.	22	2.00
पी 2 बी ए 6	यथोक्त	15	32	यथोक्त	.	21	1.80
पी 2 बी ए 7	कबीलेडी	9	10	ऐजेंगो ए	..	16	2.10
3 ट्रेडिंग डिजाइन की बुनाई :							
पी 3 ए 1	ऐजेंगो ए	13	28	बाइकोम	..	14	1.80
पी 4 ए 1	ऐजेंगो ए	13	30	बाइकोम	.	16	1.95
पी 4 ए 2	ऐजेंगो ए	14	32	बाइकोम/भाटेंरी	..	17	2.20
पी 4 ए 3	ऐजेंगो ए	14	28	यथोक्त		18	2.00
पी 4 ए 4	ऐजेंगा एम	13	26	बाइकोम	..	17	1.96
	सैगाधन 2/3						
	लड़ियां सी एम						
	1/3 लड़ियां						
पी 4 ए 5	यथोक्त	13	25	यथोक्त	..	16	1.80
पी 4 ए 6	ऐजेंगो एम	13	29	यथोक्त	..	12	2.20
पी 4 ए 7	ऐजेंगो ए	12	28	यथोक्त		14	1.80
पी 4 ए 8	ऐजेंगो ए	16	32	ऐजेंगो ए	..	22	2.00
पी 4 ए 9	ऐजेंगो ए	15	32	ऐजेंगो ए	..	21	1.80
पी 4 ए 10	ऐजेंगो एम	12	27	बाइकोम		14	2.20
पी 4 ए 11	कबीलेडी	9	10	ऐजेंगो ए	..	16	2.10
पी 4 ए 12	ऐजेंगो ए	11	28	भाटेंरी/बाइकोम	..	15	2.10
बहुपाकट डिजाइन की बुनाई :							
पी ए 1	ऐजेंगो ए	15	32	बाइकोम	..	18	2.20
	कयर मुरजोक						
बी ए एम एल	ऐलो पल्ला	16	10	अलपाट	14	45	2.15
बी एम ए आर	यथोक्त	16	10	भाटेंरी	14	45	2.05
बी ए एम ए एल	यथोक्त	16	10	ऐजेंगो ए	15	47	1.90
बी० एम बी एन	बाइकोम	14	10	यथोक्त	13	38	2.05
बी एम बी एल	यथोक्त	14	10	अलपाट	12	38	2.05
बी एम बी आर	यथोक्त	14	10	भाटेंरी	13	42	1.90
बी एम जे एम	जूट	5 लवाई	10	अलपाट	12	40	2.35
बी एम ए बी०	ऐलो पल्ला	16	10	बाइकोम	14	52	2.35
कयर कालीन (अलपा कालीन)							
बी सी एम आर	बाइकोम	14	12*	भाटेंरी	16	57	2.35
बी सी एम० आर	यथोक्त	14	12*	भाटेंरी	14	52	2.45
बी सी० एम० आर	यथोक्त	14	12*	बाइकोम	13	50	2.19

रिड्ड/चटार्डयो का संरचनात्मक विवरण

स्वालिटी स०	डीले	सफ्त	ताना			बाना						
			अनुपात	सिरे	सूत की व्यापिटी	बाता	म्यूनतम	डेसीमीटर	भार	किलोग्राम/ मीटर		
सूत की	स्वा०	सूत की	स्वालिटी	डीले	सफ्त	डीले	सफ्त					
1	2	3	4	5	6	7	8	9	10	11	12	
एस के 1	ऐजेंगा ए	15	ऐजेंगा ए	17	2	1	20	10	ग्राटरी	20	2.35	
एस के 2	वाइकोम	12	सीसल	..	2	1	20	10	वाइकोम	16	2.40	
एस के 3	वाइकोम	11	वाइकोम	13	1	2	9	18	यथोक्त	20	2.44	
एस के 4	ग्राटरी	13	यथोक्त	13	2	1	16	8	उत्तमबिना	10	3.82	
									मिगोया			
एस के 5	ऐजेंगा ए	14	यथोक्त	12	2	1	16	9	वाइकोम	20	3.35	
एस के 6	वाइकोम	12	यथोक्त	12	1	1	11	11	वाइकोम/बीच	24	2.30	
एस के 7	यथोक्त	11	यथोक्त	13	1	2	8	16	वाइकोम	16	1.83	
एस के 8	ग्राटरी	12	यथोक्त	14	2	1	16	8	यथोक्त	16	2.14	
एस के 9	अष्टमुर्षी	8	यथोक्त	12	1	2	8	16	यथोक्त	20	3.05	
एस के 10	ग्राटरी	12	यथोक्त	13	1	2	9	18	यथोक्त	20	2.45	
एस के 11	यथोक्त	15	यथोक्त	14	1	2	9	18	यथोक्त	20	2.10	
एस के 12	यथोक्त	14	ग्राटरी	16	1	1	13	13	यथोक्त	18	2.25	
एस के 13	वाइकोम	13	वाइकोम	13	2	1	14	7	यथोक्त	23	3.20	
एस के 14	ऐजेंगा	15	ऐजेंगा ए	16	2	1	22	11	यथोक्त	23	3.20	
एस के 15	यथोक्त	14	सीसल	600	2	1	18	9	ग्राटरी	18	2.80	
एस के 16	यथोक्त	14	ऐजेंगा ए	15	1	1	14	14	सीसल/वाइकोम	18	2.25	
एस के 17	यथोक्त	13	यथोक्त	14	1	1	14	14	वाइकोम	16	2.44	
एस के 18	वाइकोम	12	ऐजेंगा ए	14	2	1	20	18	ऐजेंगा ए	18	3.00	
एस के 19	ऐजेंगा ए	15	यथोक्त	16	1	2	9	18	यथोक्त	22	2.20	
एस के 20	वाइकोम	14	वाइकोम	14	2	1	18	9	वाइकोम	22	2.40	
एस के 21	ऐजेंगा ए	13	ऐजेंगा ए	13	2	1	18	9	ग्राटरी	16	2.55	
एस के 22	वाइकोम	14	ऐजेंगा ए	15	2	1	20	10	ऐजेंगा ए	18	2.50	
एस के 23	ऐजेंगा ए	13	ग्राटरी	13	1	1	11	11	वाइकोम	22	2.70	
एस के 24	वाइकोम	14	ऐजेंगा ए	15	2	1	18	9	क्विलैडी	16	3.10	
एस के 25	क्विलैडी	9	ऐजेंगा ए	14	2	1	14	7	बेपोर	10	4.10	
एस के 26	ऐजेंगा ए	13	ऐजेंगा ए	13	2	1	18	9	क्विलैडी	16	3.20	

बिजली करघे से बनी (रिड्ड) चटार्डयो के प्रकार :

पीकेएम 1	मंगादन	12	मंगादन के	13	1	1	10	10	वाइकोम	14	2.00	
पीकेएम 2	ऐजेंगा ए	13	ऐजेंगा एम	14	1	1	13	13	वाइकोम	13	2.10	
पीकेएम 3	ऐजेंगा एम	14	ऐजेंगा ए	15	2	1	18	9	ऐजेंगा ए/ग्राटरी	16	2.10	
पीकेएम 4	मंगादन के	12	मंगादन के	13	1	1	12	12	ग्राटरी	13	1.80	
पीकेएम 5	ऐजेंगा ए	13	ऐजेंगा ए	14	1	1	15	15	बीच	16	2.20	
पीकेएम 6	ऐजेंगा ए	14	सीसल	600/ एम/कि०	2	1	18	9	सीसल	18	2.30	
				ग्राम								
पीकेएम 7	वाइकोम	12	सीसल	यथोक्त	2	1	18	9	वाइकोम	18	2.40	
पीकेएम 8	ऐजेंगा ए	16	सीसल		2	1	22	11	सीसल	18	2.00	
पीकेएम 9	ऐजेंगा ए	13	ऐजेंगा ए	12	2	1	18	9	ग्राटरी	18	2.90	

कयर मैटिंग, कयर मैटिंग के गलीचो, कयर मैटिंग की चटार्डयो, कयर मुजोंक और कयर कालीनों (अलप्पी कालीनों) के लिए विनिर्देश :

1. विमार्ग :-

जब तक कि श्रेता और बिक्रेता के बीच विनिर्दिष्ट रूप से अस्पष्टा करार न हो, विमार्गों में निम्नलिखित सह्यताएं अनुशात की जायेंगी:-

(i) कयर मैटिंग ;

लम्बाई

चौड़ाई

1 प्रतिशत

180 सें०मी० तक 13 मि०मी०

180 सें०मी० से अधिक 25 मि०मी०

(ii) कयर मैटिंग के गलीचे और कयर सर्जोंक ;

लम्बाई

13 मि०मी०

चोड़ाई

180 से०मी० तक 13 मि०मी०

180 से०मी० से अधिक 25 मि०मी०

(iii) कयर मैटिंग की चटाईयों

कयर कार्पीन (अलप्पी कार्पीन) :

लम्बाई

13 मि०मी०

चोड़ाई

13 मि०मी०

II—सामग्री :

प्रत्येक डेसीमीटर क्षेत्र किनारे को संख्या सारणी में विनिर्दिष्ट होगी या विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देशों के अनुसार होगी तथापि निम्नलिखित सहायता अनुज्ञात की जा सकती है।

(i) कयर मैटिंग

कयर मैटिंग के गलीचे तथा कयर मैटिंग की चटाईया-प्रति डेसीमीटर 12 लड़ियां प्रति डेसीमीटर-1 लड़ी

III—बाधा .

प्रति डेसीमीटर बनाने की संख्या सारणी में विनिर्दिष्ट के अनुसार होगी या विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देशों के अनुसार होगी. तथापि कयर मैटिंग के गलीचों और कयर मैटिंग की चटाईयों की दशा में 3 प्रतिशत की माइनस सहायता अनुज्ञात की जा सकती है।

(IV) भार :

प्रति वर्गमीटर भार सारणी में विनिर्दिष्ट के अनुसार होगा या विशेषज्ञों के पैनल द्वारा बनाए गए और इस आदेश के अधीन मान्यता प्राप्त विनिर्देश के अनुसार होगा।

भार में 7-5 प्रतिशत की सहायता अनुज्ञात की जा सकती है 1-5.0 प्रतिशत

(v) स्कोरेज :

प्रयुक्त सूत का स्कोरेज सारणी में दिए गए के अनुसार होगा या विशेषज्ञों के पैनल द्वारा अनुमोदित स्कोरेज के लिए मूल्यों के अनुसार होगा। तथापि स्कोरेज के मूल्यों पर प्लस या माइनस की सहायता अनुज्ञात की जा सकती है।

[सं० 6(2)/78-नि०नि० तथा नि० उ०]

सी० बी० कुकरेजी, संयुक्त निदेशक

MINISTRY OF COMMERCE

ORDER

New Delhi, the 10th April, 1982

S.O. 1425.—Whereas the Central Government, in exercise the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), is of opinion that it is necessary and expedient so to do for the development of the export Trade of India that Coir Mattings shall be subject to quality control and inspection. And whereas the Central Government has formulated the following proposals for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, and in supersession of the notification of the Government of India in the Ministry of Foreign Trade Nos. S.O. 1386, dated the 3rd June, 1972 relating to Coir Mattings, except as respect things done or committed to be done, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may be forwarded the same within 45 days of the date of publication of this order in the official Gazette to the Export Inspection Council, M.M. Building, 3 Saraswati Marg, New Delhi-5.

PROPOSALS.

1. (1) To notify that coir mattings shall be subject to quality control and inspection prior to export;
- (2) to specify the type of quality control and inspection in accordance with the draft Export of Coir Mattings (Inspection) Rules, 1982, set out in Annexure I to this Order, as the type of quality control and inspection which shall be applied to such coir mattings prior to export;
- (3) to Recognise —
 - (a) the specifications for only coir mattings as set out in the Annexure II to this order as the standard specifications for coir mattings ;
 - (b) the samples or specifications approved by the foreign buyer, provided such samples or specifications do not fall below the minimum requirements of the recognised standard specifications under item (a) above;
 - (c) the specifications which do not fall under item (a) above but formulated by a panel of experts appointed by the Export Inspection Council for the purpose;
- (4) to prohibit the export in the course of international trade of coir mattings unless the same are accompanied by a certificate issued by any one of the Export Inspection Agencies established under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that the coir mattings conform to the specifications recognised under sub-paragraph (3) and are export worthy.

2. Nothing in this order shall apply to the export by sea, land or air of samples of coir mattings to prospective buyers.

3. In this order 'Coir mattings' means coir mattings manufactured on powerloom as well as handloom and includes,—

- (i) coir matting mats;
- (ii) coir matting rugs;
- (iii) coir mourzouks;
- (iv) coir carpets (Allepey carpets);
- (v) any other type of coir matting.

ANNEXURE - I

(Draft rules proposed to be made, in supersession of the Export of Coir Mattings (Inspection) Rules, 1972, under section 17 of the Export (Quality Control and Inspection) Act, 1963 23 of 1963).

1. Short title and commencements.—(1) These rules may be called the Export of Coir Mattings (Inspection) Rules, 1982.

(2) They shall come into force on the date of the publication in the Official Gazette.

2. Definitions :—In these rules, unless the context otherwise requires, —

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Agency" means any one of the Export Inspection Agencies recognised under section 7 of the Act;

(c) "Coir matting" means coir mattings manufactured on powerlooms as well as handlooms and includes. —

- (i) Coir matting mats;
- (ii) coir matting rugs;
- (iii) coir mourzouks;
- (iv) coir carpets (Allepey carpets);
- (v) any other type of coir mattings.

3. Basis of inspection :—Inspection of coir mattings intended for export shall be carried out with a view to seeing that the coir mattings conform to the specifications recognised by the Central Government under section 6 of the Act (hereinafter referred to as the recognised specifications).

4. Procedure of inspection :—(1) An exporter intending to export mattings shall give an intimation in writing in the prescribed form of his intention so to do to the nearest office of the Export Inspection Agency.

(2) Every intimation for this purpose shall be given not less than seventy-two hours before the excepted date of shipment.

(3) On receipt of the intimation referred to in sub-rule (2), the agency shall inspect the consignment of coir mattings in accordance with the instructions issued by the Export Inspection Council in this behalf from time to time with a view to seeing that the same complies with the requirements of the recognised specifications, and the exporter shall provide all necessary facilities to the agency to enable it to carry out such inspection.

(4) After satisfying itself that the consignment of coir mattings conforms to the recognised specifications, the agency shall within 3 days of the receipt of the intimation and the particulars of the consignment under sub-rule (1) of rule 4, issue a certificate to the exporter declaring that the consignment is in conformity with the recognised specifications and is exportworthy;

Provided that where the agency is not so satisfied, it shall within the said period of 3 days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

5. Place of inspections :—Every inspection under these rules shall be carried out either,

- (a) at the premises at which the consignment of coir mattings are offered by the exporter for inspection, provided adequate facilities for the purpose exist therein or

(b) such other place as may be specified by the agency for the purpose.

6. Appeals :—Any person aggrieved by the refusal to issue a certificate under rule 4 may, within ten days of receipt of the communications of such refusal, prefer an appeal to such appellate panel consisting of not less than three persons as may be constituted by the Central Government for the purpose.

7. Inspection fee :—A fee at the following rates shall be paid as inspection fee for the inspection of coir mattings and coir matting mats under the rules.

(a) (i) Coir mattings

Rs. 1 per packet/roll subject to a minimum of Rs. 10 per consignment for the coir mattings of 2.5 metres and below in width.

coir matting rugs
coir carpets and
coir mourzouks

Rs. 1/- per packet/roll subject to a minimum of Rs. 10/- per consignment for the coir matting rugs, coir carpets and coir mourzouks of 2.5 metres and below in width.

(ii) Coir mattings :

Rs. 3 per packet/roll subject to a minimum of Rs. 30 per consignment for coir mattings above 2.5 metres in width

Coir matting rugs,
coir carpets and coir
mourzouks

Rs. 3 per packet/roll subject to a minimum of Rs. 30 per consignment for the coir matting rugs, coir carpets and coir mourzouks above 2.5 metres in width.

(b) Coir matting mats

Rs. 0.60 per packet subject to a minimum of Rs. 6 per consignment.

ANNEXURE II

SPECIFICATION FOR COIR MATTINGS

1. General requirements :

1.1 The coir mattings shall be manufactured from bleached or unbleached coir yarn as agreed to between the buyer and the seller. The yarn shall be of two ply.

1.2 The coir mattings shall be firmly and evenly woven.

1.3 The coir mattings shall be plain, dyed or stenciled or may have designs woven into them.

1.4 The coir mattings may be made into rugs or matting mats as agreed to between the buyer and the seller. In such cases, the out ends of the matting mats or rugs shall either be stitched with suitable cotton thread or bound with jute, rexin or leather webbing (plain, coloured or fancy) or ends doubled back and interlaced in the body of the matting mats or rugs or rubber edged or glued edged or with rubber/rubber fibre-backed.

1.5 The coir matting shall not loaded with salt or other matter.

2. Specific requirements :

2.1 The coir mattings of a particular quality number shall comply with the requirement for that quality number as given in the Table below or be in accordance with the specification see para '(3)(c)' formulated by the Panel of Experts appointed for the purpose, and recognised under this order.

2.2 Construction : The coir mattings of a particular quality number shall conform to the constructional details for that quality number as given in the Table below or be in accordance with the specifications formulated by the panel of experts appointed for the purpose, and recognised under this order.

2.3 Ends and picks : The minimum number of warp ends and the number of picks per decimeter of coir matting shall be in accordance with the requirements given in the Table below or be in accordance with the specifications formulated by the panel of experts appointed for the purpose, and recognised under this order.

2.4 Weight : The weight per sq. mt. shall be as specified in the Table below or be in accordance with the specifications formulated by the panel of experts appointed for the purpose, and recognised under the order.

2.5 Dimension : The dimensions of coir matting shall be as specified in the export contract as agreed to between the buyer and the seller.

2.6 Permissible tolerance in respect of ends, picks, weight and dimension shall be as given in the Table below

3. Packing :

3.1 The coir matting shall be packed as agreed to between the buyer and the seller. The packages shall be wrapped with new hessian of minimum 17 gram per metre (7 oz. a yard).

3.2 Each package shall be marked with the following particulars, namely --

- (a) number of pieces in the package;
- (b) size;
- (c) number of pieces in the package;
- (d) code/name of the exporter/foreign buyer, if any;
- (e) serial number of package;
- (f) gross weight;
- (g) shipping marks.

TABLE

(A) CONSTRUCTION DETAILS OF HANDI OOM COIR MATTINGS

Qty. No.	WARP				WEFT		
	Quality of Yarn	Approx. scoreage	Ends/ dm. Min.	Qty. in yarn	Approx. scoreage	Picks per cm. min.	Wt. Kg/M2
1	2	3	4	5	6	7	8
Two Treadle Plain Weave:—							
M2A1	Anjengo A	15	33	Vycome/beach	..	11	1.50
M2A2	Anjengo A	14	31	-do-	..	11	1.55
M2A3	Anjengo A	13	29	-do-	..	10	1.62
M2A4	Anjengo A	12	27	-do-	..	9	1.70
M2R6	Aratory	15	33	-do-	..	11	1.42
M2R2	Aratory	14	31	-do-	..	11	1.47
M2R3	Aratory	13	29	-do-	..	10	1.55
M2R4	Aratory	12	27	-do-	..	9	1.62
M2V1	Vycome	15	33	Calicut/Beach	..	9	1.35
M2V2	Vycome	14	30	-do-	..	9	1.42
M2V3	Vycome	12	27	-do-	..	9	1.52
M2B0	Beach	11	20	Beach/Hard unsoaked	..	9	1.18
M2B1	Beach	10	22	-do-	..	9	1.30
M2B2	Beach	9	20	-do-	..	9	1.40
S2M1	Anjengo A	17	39	Vycome	..	12	1.40
S2M2	Aratory	14	31	Aloe	..	11	1.50
S2M3	Vycome	11	22	Vycome/Beach	..	9	1.25
S2M4	Anjengo A	13	19	Vycome	..	10	1.40
S2M5	Beypore	7	15	Beach	..	7	2.10
S2M6	Ashtamudi	9	18	Vycome	..	9	1.90
S2M7	Beypore	6	14	Beypore	..	5	2.65
S2M8	Quilandy	8	20	Vycome	..	7	2.10
S2M9	Quilandy	9	18	Quilandy	..	7	2.10
Mesh Mattings:							
H2M1	Anjengo A	14	9	Vycome	..	8	0.650
H2M2	Beach	9	8	Beach	..	7	0.700
H2M3	Aratory	15	*14	Aratory	..	14	0.875
H2M4	Anjengo A	12	*19	Aratory	..	11	1.400

* WARP is arranged in pairs; each strand of the pair is woven alternately with the other.

** WARP is arranged in groups of 3 strands; each group of the pair is woven alternately with the adjacent one.

1	2	3	4	5	6	7	8
Two Treadle Basket Weave (Construction 3x2 or 2x2 or 3x3);							
M2BA1	Anjengo A	15	30	Anjengo/Aratory	..	17	1.72
M2BA2	Anjengo A	14	28	-do-	..	17	1.80
M2BA3	Anjengo A	13	26	-do-	..	16	1.82
M2BA4	Anjengo A	15	30	Vycome	..	17	1.62
M2BA5	Anjengo A	14	28	Vycome	..	17	1.68
M2BA6	Anjengo A	13	26	Vycome	..	16	1.72
M2BR1	Aratory	15	30	Aratory	..	17	1.68
M2BR2	-do-	14	28	-do-	..	17	1.72
M2BR3	-do-	13	26	-do-	..	16	1.80
M2BR4	-do-	15	30	Vycome	..	17	1.58
M2BR5	-do-	14	28	-do-	..	17	1.62
M2BR6	-do-	13	26	-do-	..	16	1.68
M2BV1	Vycome	14	28	-do-	..	16	1.47
M2BV2	-do-	13	26	-do-	..	16	1.52
M2BV3	-do-	12	24	-do-	..	15	1.58
M2BV4	Beach	10	20	Beach	..	15	1.38
S2BM1	Anjengo A	16	34	Anjengo A	..	17	1.62
S2BM2	Ashtamudi	10	23	Vycome	..	14	2.30
S2BM3	Anjengo M	12	25	Anjengo M	..	12	2.62
S2BM4	Anjengo A	16	32	Superfine Aloc	..	12	1.75
S2BM5	Anjengo A (4x4 Weave)	14	28	Anjengo A	..	24	2.15
S2BM6							
S2BM7	Quilandy	10	20	Quilandy	..	15	2.95
(4x4)							
S2BM8	Quilandy	8	20	Quilandy	..	20	3.25
(8x8)							
S2BM9	Roping	6	11	Roping	..	9	3.80
(4x4)							
S2BM10	Beypore	7	16	Beypore	..	8	3.00
Three Treadle Weave:							
M3A1	Anjengo A	16	35	Vycome/Beach	..	11	1.58
M3A2	-do-	15	33	-do-	..	11	1.62
M3A3	-do-	14	31	-do-	..	11	1.68
M3A4	-do-	13	29	-do-	..	10	1.75
M3A5	-do-	12	27	-do-	..	10	1.82
M3R1	Aratory	16	35	-do-	..	11	1.50
M3R2	-do-	15	33	-do-	..	11	1.55
M3R3	-do-	14	31	-do-	..	11	1.60
M3R4	-do-	13	29	-do-	..	10	1.68
M3R5	-do-	12	27	-do-	..	10	1.75
M3C1	Ashtamudi*	11	24	-do-	..	9	2.08
M3V1	Vycome	14	31	-do-	..	10	1.40
M3V2	-do-	13	29	-do-	..	9	1.45
M3V3	-do-	12	27	-do-	..	9	1.52
M3B1	Beach	10	22	Beach/Hard Un-soaked	..	9	1.40
S3M1	Anjengo A	15	33	Alapat	..	12	2.00
S3M2	-do-	16	40	Vycome/Alapat	..	11	2.00
S3M3	Vycome	11	24	Vycome	..	10	1.70
S3M4	Anjengo A	15	31	Vycome/Beach	..	11	1.52
S3M5	-do-	14	34	Vycome'	..	11	1.88
S3M6	Anjengo M	11	27	Ashtamudi	..	9	2.96
S3M7	Anjengo A	15	37	Vycome	..	11	1.80
S3M8	Anjengo A	14	31	Anjengo A/Aratory	..	13	1.67

1	2	3	4	5	6	7	8
Four Treadle Weave:							
MAA1	Anjengo A	15	33	Vycome	..	13	1.70
MAA2	-do-	14	31	-do-	..	13	1.75
MAA3	-do-	13	29	-do-	..	13	1.82
M4A4	-do-	12	27	-do-	..	13	1.90
M4R1	Aratory	15	33	-do-	..	13	1.62
M4R2	-do-	14	31	-do-	..	13	1.68
M4R3	-do-	13	29	-do-	..	13	1.75
M4R4	-do-	12	27	-do-	..	12	1.82
M4V1	Vycome	14	31	-do-	..	12	1.47
M4V2	-do-	13	29	-do-	..	12	1.55
M4V3	-do-	12	27	-do-	..	12	1.62
S4M1	Anjengo A	16	36	-do-	..	17	1.50
S4M2	-do-	15	33	Anjengo A	..	17	1.75
S4M3	Aratory	14	31	Aratory	..	14	1.75
S4M4	Anjengo A	13	32	Vycome	..	15	2.15
S4M5	-do-	14	33	-do-	..	14	2.20
S4M6	Anjengo A & Sisal	14	31	Sisal	..	16	1.78
S4M7	Anjengo A & Aloe	14	31	Aloe	..	18	1.87
S4M8	Anjengo A	14	31	Alapat	..	12	2.00
S4M9	Anjengo A	16	29	Anjengo A	..	15	1.80
	Anjengo A	13					
S4M10	Anjengo A	16	35	-do-	..	12	1.75
S4M11	Anjengo A	14	31	Anjengo A/Aratory	..	14	1.82
S4M12	Slack-Aratory	15	8	Ordy. Aratory	..	14	2.55
	Tight-Aratory	15	23	Extra } Aratory Weft } 4 ply rops	..	7	
S4M13	Beypore	6	14	Beypore	..	7	2.80
S4M14	Beypore/Quilandy/ Aratory	8 14	13 13		..	9	2.60
S4M15	Quilandy/ Anjengo A	8 13	11 11	Anjengo A	..	11	1.95
S4M16	Aloe	10	20	Quilandy	..	9	2.40
S4M17	Quilandy	9	20	Quilandy	..	9	2.62
S4M18	Quilandy	10	16	Quilandy	..	14	2.55
S4M19	Quilandy	9	11	Anjengo	..	18	1.96
S4M20	Slack : Anjengo	15	5	Ordy: Anjengo	11	11	
	Tight : Anjengo A	14	19	Extra : Quilandy	..	11	2.20
S4M21	Anjengo M	10	24	Anjengo M	..	18	3.10

Special reads coir mattings:

SR4M1	Aratory	15	26	Vycome	..	18	1.40
SR4M2	Anjengo A	14	29	Aratory	..	16	1.75
SR4M3	Aratory	13	26	Vycome	..	16	1.68

Multishaft coir mattings:

SOM1	Anjengo A	12	30	Vycome	..	14	2.00
SOM2	Anjengo A & Aloe	14	28	Anjengo A & Aloe	..	17	1.90
SOM 3	Anjengo A	16	35	Anjengo A/Aloe/Sisal	..	12	1.79
SOM 4	Quilandy	8	20	Quilandy	..	15	3.20
SOM 5	Anjengo	15	21	Vycome	..	26	1.32
SOM6	Quilandy	9	20	Quilandy	..	8	2.62
SOM7	Quilandy	9	20	Quilandy	..	18	4.00

(B) Construction Details of Powerloom Coir Mattings

2 Treadle Weave designs

P2A1	Anjengo A	13	28	Vycome	..	13	1.70
P2A2	Quilandy/Ashtemdy	10	22	-do-	..	10	2.00
P2A3	-do-	9	16	-do-	..	7	1.80
P2A4	Quilandy	9	21	-do-	..	17	2.40
P2A5	Anjengo A	12	26	Aratory/Vycome	..	13	1.80

1	2	3	4	5	6	7	8
2 Treadle Basket Weave designs							
P2BA1	Anjengo A	12	30	Vycome	..	16	2.00
P2BA2	-do-	14	32	Anjengo A/Aratory	..	18	2.20
P2BA3	-do-	14	28	-do-	..	16	2.00
P2BA4	-do-	13	28	-do- (Loose twist)	..	14	1.80
P2BA5	-do-	16	32	Anjengo A	..	22	2.00
P2BA6	-do-	15	32	-do-	..	21	1.80
P2BA7	Quilandy	9	10	-do-	..	16	2.10
3 Treadle Weave designs							
P3A1	Anjengo A	13	28	Vycome	..	14	1.80
4 Treadle Weave designs							
P4A1	Anjengo A	13	30	Vycome	..	16	1.95
P4A2	-do-	14	32	Vycome/Aratory	..	17	2.20
P4A3	-do-	14	28	-do-	..	16	2.00
P4A4	Ang. M or Mangadan 2/3 strands sisal 1/3 strands	13	26	Vycome	..	17	1.96
P4A5	-do-	13	25	-do-	..	16	1.80
P4A6	Anjengo M	13	29	-do-	..	12	2.20
P4A7	Anjengo A	12	28	-do-	..	14	1.80
P4A8	Anjengo A	16	32	Anjengo A	..	22	2.00
P4A9	Anjengo A	15	32	-do-	..	21	1.80
P4A10	Anjengo M	12	27	Vycome	..	14	2.20
P4A11	Quilandy	9	10	Anjengo A	..	16	2.10
P4A12	Anjengo A	11	28	Aratory/Vycome	..	15	2.10
Multishaft Weave designs							
POA1	Anjengo A	15	32	Vycome	..	18	2.20
Coir Yourzouks:							
BMAL	Aloe Thin	16	10	Alapat	14	45	2.15
BMAR	-do-	16	10	Aratory	14	45	2.05
BMAN	-do-	16	10	Anjengo	15	47	1.90
BMVN	Vycome	14	10	-do-	13	38	2.05
BMVL	-do-	14	10	Alapat	12	38	2.05
BMVR	-do-	14	10	Aratory	13	42	1.90
BMJL	Jute	5Ply	10	Alapat	12	40	2.35
BMAV	Aloe Thin	16	10	Vycome	14	52	2.35
Coir Carpets (Alleppey carpets)							
BCSR	Vycome	14	12*	Aratory	16	57	2.35
BCSR1	-do-	14	12*	-do-	14	52	2.45
BCSR2	-do-	14	12*	Vycome	13	50	2.15

*Six double strands.

(C) Constructional details of ribbed mattings:

Qty. No.	WARP							WEFT				
	Black Quality of yarn	App. sco.	Tight		Ratio Sl- ack	Ends Ti- ght	Sl- ack	Tight	Quality of yarn	Picks Min. dm.	Wt. kgs/ m2	
			Quality of yarn									
1	2	3	4	5	6	7	8	9	10	11	12	
SK1	Anjengo A	15	Anjengo A	17	2	1	20	10	Aratory	20	2.35	
SK2	Vycome	12	Sisal	..	2	1	20	10	Vycome	16	2.40	
SK3	-do-	11	Vycome	13	1	2	9	18	-do-	20	2.44	
SK4	Aratory	13	-do-	13	2	1	16	8	Fine unso	10	3.62	
SK5	Anjengo A	14	-do-	13	2	1	16	9	aked	20	3.35	
SK6	Vycome	12	-do-	12	1	1	11	11	Vycome/Beach	24	2.30	
SK7	-do-	11	-do-	13	1	2	8	16	Vycome	16	1.83	
SK8	Aratory	12	-do-	14	2	1	16	8	-do-	16	2.14	
SK9	Ashtamdy	8	-do-	12	1	2	8	16	-do-	20	3.05	
SK10	Aratory	12	-do-	13	1	2	9	18	-do-	20	2.55	
SK11	-do-	15	-do-	14	1	2	9	18	-do-	20	2.10	

1	2	3	4	5	6	7	8	9	10	11	12
SK12	Aratory	14	Aratory	16	1	1	13	13	-do-	18	2.25
SK13	Vycome	13	Vycome	13	2	1	14	7	-do-	23	3.20
SK14	Anjengo A	15	Anjengo A	16	2	1	22	11	-do-	23	2.80
SK15	-do-	14	Sisal	600 runnage	2	1	18	9	Aratory	18	2.80
SK16	-do-	14	Anjengo A	15	1	1	14	14	Sisal/vycome	18	2.25
SK17	-do-	13	-do-	14	1	1	14	14	Vycome	16	2.44
SK18	Vycome	12	-do-	14	2	1	20	10	Anjengo A	16	3.00
SK19	Anjengo A	15	-do-	16	1	2	9	18	-do-	22	2.20
SK20	Vycome	14	Vycome	14	2	1	18	9	Vycome	22	2.40
SK21	Anjengo A	13	Anjengo A	13	2	1	18	9	Aratory	16	2.55
SK22	Vycome	14	-do-	15	2	1	20	10	Anjengo A	18	2.50
SK23	Anjengo A	13	Aratory	13	1	1	11	11	Vycome A	22	2.70
SK24	Vycome	14	Anjengo A	15	2	1	18	9	Quilandy	16	3.10
SK25	Quilandy	9	-do-	14	2	1	14	7	Beypore	10	4.10
SK26	Anjengo A	13	-do-	13	2	1	18	9	Quilandy	16	3.20
PKM1	Managadan K	12	Managadan K	13	1	1	10	10	Vycome	14	2.00
PKM2	Anjengo A	13	Anjengo M	14	1	1	13	13	Vycome	13	2.10
PKM3	Anjengo M	14	Anjengo A	15	2	1	18	9	Anjengo A/ Aratory	16	2.10
PKM4	Managadan K	12	Managadan K	13	1	1	12	12	Aratory	13	1.80
PKM5	Anjengo A	13	Anjengo A	14	1	1	15	15	Beach	16	2.20
PKM6	Anjengo A	14	Sisal	600/M/Kg.	2	1	18	9	Sisal	18	2.30
PKM7	Vycome	12	Sisal	-do-	2	1	18	9	Vycome	18	2.40
PKM8	Anjengo A	16	Sisal	..	2	1	22	11	Sisal	18	2.00
PKM9	Anjengo A	13	Anjengo A	12	2	1	18	9	Aratory	18	2.90

Powerloom varieties of ribbed mattings:

Tolerances permitted for coir mattings, coir matting rugs, coir matting mats, coir mourzouks and coir carpets (Alleppey carpets)

I. Dimensions:

Unless specifically agreed otherwise between the buyer and the seller, the following tolerances in dimensions shall be allowed—

(i) Coir mattings :

Length	—	± 1%
Width	—	upto 180 cm. ± 13 mm. above 180 cm. ± 25 cm.

(ii) Coir matting rugs and Coir mourzouks:

Length	—	± 13 mm.
Width	—	upto 180 cm. ± 13mm above 180 cm ± 25 mm

(iii) Coir matting mats.

Coir carpets (Alleppey carpets)

Length	—	± 13 mm
Width	—	± 13 mm

II. Warp:

The No. of chain ends per dm. shall be as specified in the Table or be in accordance with the specifications formulated by the panel of experts and recognised under this Order. The following tolerances may however be allowed—

(i) Coir mattings.

Coir matting rugs and coir mattings mats	+2 strands per dm. —1 strand per dm.
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III. Waft:

The No. of picks per dm shall be as specified in the Table or be in accordance with the specifications formulated by the panel of experts and recognised under this Order. A minus tolerances of 5% may however be allowed in the case of coir mattings, coir matting rugs, and coir matting mats.

IV. Weight:

The weight per sq.m. shall be as specified in the Table or be in accordance with the specifications formulated by the panel of experts. A tolerances of +7.5% in the weight may be however allowed and recognised under this Order—5%.

V. Scorages :

The scorage of the yarn shall be as given in the Table or be in accordance with the values for scorage approved by the panel of experts. A tolerance of plus or minus 1 may however be allowed on the values of the scorages.

मुख्य निर्यात, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 29 मार्च, 1982

का० आ० 1426:—महेश्वरी शंकर एग्रो इन्डस्ट्रीज लि० 4/1 रेड क्रॉस प्लेस कलकत्ता को मूल विदेशी मुद्रा विनिमय के अन्तर्गत गैस सिलिंडर्स के आयात के लिए 19,97,500 रुपए मूल्य का एक आयात लाइसेंस सं० पी/सीजी/2083606/सी/एमएम/82/एच/81/सीजी-3 दिनांक 18-1-82 प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की सीमा शुल्क और मुद्रा विनिमय नियंत्रण प्रयोजन की अनुमति जारी करने के लिए इस आधार पर आवेदन किया है कि उनसे मूल सीमा शुल्क और मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां खो गई हैं/अस्थानस्थ हो गई हैं। यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं कराई गई थी और इसलिए सीमा शुल्क प्रयोजन प्रति के मूल्य का बिल्कुल भी उपयोग नहीं किया गया है।

2. अपने तर्कों के समर्थन में लाइसेंसधारी ने नॉटरी पब्लिक कलकत्ता के सामने विधिवत हस्ताक्षरित स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है। मैं सतुष्ट हूँ कि आयात लाइसेंस सं० पी/सीजी/2773606/सी/एमएम/82/एच/81/सीजी-3 दिनांक 18-1-82 की मूल सीमाशुल्क और मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां फर्म से खो गई हैं या अस्थानस्थ हो गई हैं। यथा सशोधित आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की उप-धारा 9(सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करके हुए उपर्युक्त लाइसेंस सं० पी/सीजी/2083606 दिनांक 18-1-82 जो शंकर एग्रो इन्डस्ट्रीज लि० कलकत्ता को जारी किया गया था की मूल सीमा शुल्क और मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियां एतद्वारा रद्द की जाती हैं।

3. उपर्युक्त लाइसेंस की अनुमति सीमाशुल्क और विनिमय नियंत्रण प्रयोजन प्रतियां पार्टी को अलग से जारी की जा रही हैं।

[निमित्त सं० सी-जी-3/476/81/19]

शंकर चन्द, उप-मुख्य निर्यातक,
आयात-निर्यात

हुते मुख्य निर्यातक, आयात-निर्यात

Office of the Chief Controller of Imports & Exports
New Delhi

ORDER

New Delhi, the 29th March, 1982

S.O. 1426. The Shanker Agro Industries Ltd., 4/1 Red Cross Place Calcutta were granted an import licence No. P/CG/2083606/C/XX/82/H/81/CG. III dated 18-1-1982 for Rs. 19,97,500 (Rupees Nineteen lakhs Ninety seven thousand and five hundred only) for import of Gas cylinders under Free Foreign Exchange. The firm has applied for issue of Duplicate copy each of Customs and Exchange control Purposes copies of the above mentioned licence on the ground that the original Customs and Exchange Control purposes copies of the licence have been lost or misplaced. It has further been stated that the Customs Purposes copy of the licence was not registered with any Customs authority and as such the value of Customs Purpose copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly signed in before a Notary Public Calcutta. I am accordingly satisfied that the original Customs and Exchange Control Purposes copies of import licence No. P/CG/2083606/C/XX/82/H/81/CG. III dated 18-1-1982 have been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-1-1955 as amended the said original Customs and Exchange Control Purposes copies No. P/CG/2083606 dated 18-1-82 issued to The Shanker Agro Industries Ltd., Calcutta are hereby cancelled.

3. A duplicate Customs and Exchange Control purposes copies of the said licence are being issued to the party separately.

F. No. CG. III/476/81/19]

SHANKAR CHAND, Dv. Chief Controller of
Imports & Exports.
for Chief Controller of Imports & Exports.

संयुक्त मुख्य निर्यात आयात-निर्यात का कार्यालय

(केन्द्रीय लाइसेंस क्षेत्र)

इन्द्रप्रस्था भवन, इन्द्रप्रस्था स्टेट, नई दिल्ली-110002

निरस्त-आदेश

का० आ० 1427. —मैसर्स जूपीटर रेडियो (रजि०) सी-46, ओखला इन्डस्ट्रियल एरिया, फेज-2 नई दिल्ली को एक आयात लाइसेंस सं० पी/एम/1932850/सी-79 एम/81 दि० 3-6-81 वास्ते 24,17,490 रु० बनेक एण्ड व्हाइट पिक्चर ट्यूब 20"/24" के माप के, सी टी सेट के उत्पादन हेतु दिया गया था।

उपरोक्त फर्म ने एक शपथ-पत्र आयात-निर्यात की कार्य-विधि पुस्तिका 1981-82 के पैरा 352 के अन्तर्गत प्रस्तुत किया है जिसके अन्तर्गत यह बताया गया है कि लाइसेंस सं० पी/एम/1932850/सी दि० 3-6-81 वास्ते 24,17,400/- रु० अप्रैल-मार्च, 82 अवधि के लिए की कस्टम-हेतु कापी बम्बई कस्टम पर पंजीकृत होने तथा 16,72,700 रु० तक इस्तेमाल करने के पश्चात् खो गयी है।

3. अतः आयात-व्यापार नियंत्रण आदेश 1955 दि० 7-12-55 (यथा सशोधित) की धारा 9(सीसी) में प्रदत्त अधिकारों का प्रयोग करते हुए, मैं उपरोक्त लाइसेंस पी/एम 1932850/सी दि० 3-6-81 वास्ते बकाया राशि 7,44,700 रु० की मूल कस्टम कापी को निरस्त करने का आदेश देता हूँ।

4. आवेदक को प्रार्थना पर अब आयात-निर्यात की कार्य-विधि पुस्तिका 1981-82 के पैरा 351 से 354 अनुसार उपरोक्त लाइसेंस की कस्टम कापी की अनुमति (डुप्लीकेट कापी) जारी करने पर विचार किया जायेगा।

[स० दिल्ली जे०-1/ए० एम-82/ए० यू 1/सी एल ए०/4637]

कु० माया दास गुप्ता, उप मुख्य-निर्यात आयात-निर्यात
हुते संयुक्त मुख्य निर्यात आयात-निर्यात।

Office of the Joint Chief Controller & Exports

(Central Licensing Area) Indraprastha Bhawan, New Delhi

CANCELLATION ORDER

New Delhi, the 22nd February, 1982

S.O. 1427.—M/s. Jupiter Radios (Regd.), C-46, Okhla Industrial Area Phase-II, New Delhi was granted import licence No. P/S/1932850/C/XX/79/L/81 dated 3-6-81 for Rs. 24,17,040 for import of Black & White picture tubes of 20"/24" size for manufacture T.V. sets.

The applicant has filed an affidavit as required under Para 352 of Hand Book of Import Export Procedure 1981-82, wherein they have stated that Custom Purposes copy of licence No. P/S/1932850/C dated 3-6-81 for Rs. 24,17,400 for AM-82 period has been lost/misplaced having been registered with Bombay Customs and utilised to the extent of Rs. 16,72,700.

I am satisfied that the original Custom purposes copy of the said licence has been lost/misplaced.

In exercise of the powers conferred on me under subject clause 9(cc) in the Import Trade Control Order 1955 dated 9-12-55 as amended upto date the said Original Custom purpose copy of licence No. P/S/1932850 dated 3-6-81 for the balance amount of Rs. 7,44,700 is hereby cancelled.

The applicant is now being issued duplicate Custom purposes copy of import licence No. P/S/1932850 dated 3-6-81 for the balance amount in accordance with the provision of Paras 351 to 354 of Hand Book of Import Export procedure 1981-82.

[F. No. Delhi/J-1/AM-82/AU-1/CLA/46-37]

(MISS) MAYA DASS GUPTA, Dy. Chief Controller of Import & Exports
For Jt. Chief Controller of Imports & Exports

नागरिक पूर्ति संशोधन

नई दिल्ली, 27 मार्च, 1982

क्र० आ० 1428.—अग्नि संधिदा (विनियम) अधिनियम, 1952 (1952 का 74) की धारा 9क की उप-धारा (1) द्वारा प्रवृत्त गतिविधियों का प्रयोग करने हेतु सभ्य अनुच्छेदों आंध्र प्रदेश काटन एवं विपणन गंदूर से किए गए और केन्द्रीय सरकार द्वारा अनुमोदित निम्नलिखित संशोधन उक्त धारा की उप-धारा (2) में अधेक्षानुसार प्रकाशित किए जाने हैं, अर्थात्—

संशोधन

उक्त संशोधन अनुच्छेदों में :—

1. विद्यमान अनुच्छेद 43 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—
“43(1) किसी आकस्मिक रिक्ति के कारण के सिवाय, 12 से अधिक और 27 से अधिक निदेशकों का गठन निम्नलिखित प्रकार से किया जाएगा :—

(क) व्यवसाय/उद्योग के विभिन्न हितों और क्षेत्रों का प्रतिनिधित्व करने के लिए उन्नीस निदेशक इसमें उपबोधित आधार पर और रीति से साधारण सदस्यों द्वारा चुने जाएंगे।

(ख) चार निदेशक (जिन्हें इसमें इसके पश्चात् सहयोजित निदेशक कहा गया है) जिनमें से दो उभाने वाले सदस्यों में से सहयोजित किए जाएंगे जबकि शेष दो वायदा बाजार आयोग के अनुमोदित से निदेशक बोर्ड द्वारा, अन्य सहयोजित सदस्यों के प्राधिकृत प्रतिनिधियों में से सहयोजित किए जाएंगे।

(ग) चार निदेशक, अग्रिम संधिदा (विनियम) अधिनियम, 1952 की धारा 6 के खंड (2) के उपखंड (ख) के अनुसार केन्द्रीय सरकार द्वारा नामनिर्दिष्ट किए जाएंगे।

2. यदि केन्द्रीय सरकार ने उपर्युक्त खंड (ग) के अधीन कोई निदेशक नियुक्त नहीं किए हैं तो बोर्ड में ऐसी कमी के होते ही बोर्ड इस प्रकार कार्य करेगा मानो वह सम्यक रूप में गठित है।

(3) इस अनुच्छेद के अधीन सभी सहयोजित या नामनिर्दिष्ट निदेशक, निदेशकों के सभी अधिवेशनों के और कंपनी के सभी साधारण अधिवेशनों में हजरि होने और मतदान करने के हकदार होंगे सिवाय इसके कि वे किसी निदेशक के निर्वाचित या नियुक्ति की बाबत मतदान करने के हकदार नहीं होंगे।

(4) इस अनुच्छेद के अधीन निर्वाचित, सहयोजित, नामनिर्दिष्ट किए जाने वाले निदेशकों की संख्या (इस अनुच्छेद के निबंधनों के अनुसार 27 निदेशकों की अधिकतम सीमा के अधीन रहने हुए) साधारण नियम द्वारा समय-समय पर अवधारित की जाएगी।”

2. विद्यमान अनुच्छेद 44(क) और (ख) के स्थान पर निम्नलिखित रखा जाएगा :—

“44(क) अनुच्छेद 43(1) के निबंधनों के अनुसार निदेशक बोर्ड के निर्वाचन के प्रयोजनों के लिए कंपनी के सभी साधारण

सदस्य का पांच पैरों में वर्गीकृत किए जाएंगे और प्रत्येक पैरल बोर्ड में अपने प्रतिनिधियों का निर्वाचन नीचे वर्णित रूप में करेगा—

(1) वणिज 1 कापारी	4 निदेशक (इसमें अधिक नहीं)
(2) ओटार्ड कारखाने	9 निदेशक (" " ")
(3) द्वाई कारखाने	3 निदेशक (" " ")
(4) बिनोले पीसने वाले कारखाने	2 निदेशक (" " ")
(5) कपड़ा मिले/कटार्ड मिल	1 निदेशक (" " ")

(ख) आंध्र प्रदेश राज्य के प्रत्येक क्षेत्र को बोर्ड में सम्यक प्रतिनिधित्व देने की दृष्टि से निदेशक बोर्ड अपने विवेकानुसार ओटार्ड कारखानों को पैरल को विभिन्न जोनों में उप-विभाजित कर सकेगा। ऐसे जोनों की संख्या, नाम और सीमाएं और प्रत्येक जोन में इस अनुच्छेद के निबंधनों के अनुसार निदेशकों की 9 की अधिकतम सीमा के अधीन रहने हुए) निर्वाचित किए जाने वाले निदेशकों की संख्या, निदेशक बोर्ड द्वारा समय-समय पर अवधारित की जाएगी।

[13 (2)-आई०टी०/81]

MINISTRY OF CIVIL SUPPLIES

New Delhi, the 27th March, 1982

S.O. 1428.—The following amendment made to the Articles of Association of the Andhra Pradesh Cotton Association, Guntur, in exercise of the powers conferred on the said Association by sub-section (i) of section 9A of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) and approved by the Central Government, are hereby published as required under sub-section (2) of that section, namely :—

AMENDMENTS

The said Articles of Association :—

I The existing Article 43 shall be substituted by the following, namely :—

“43(1) Save and except by reason of a casual vacancy there shall be not less than 12 and not more than 27 Directors constituted as follows :

(a) Nineteen Director who shall be elected by the ordinary members, on the basis and in the manner herein provided to represent various interests and regions of the trade/industry.

(b) Four Directors (hereinafter called “co-opted Directors”) of whom two shall be co-opted from grower members while the balance two shall be co-opted from the Authorised Representatives of the other Associate members, by the Board of Directors, with the approval of the Forward Markets Commission.

(c) Four Directors nominated by the Central Government in accordance with the provisions of Sub-clause (b) of Section 9 of the Forward Contracts (Regulation) Act, 1952.

(2) In case the Central Government has not appointed any directors under clause (c) above the Board shall function as if it is duly constituted notwithstanding such deficiency on the Board.

(3) All the Directors co-opted or nominated under this Article shall be entitled to attend and vote at all Directors' meetings and at all General Meetings of the Company save and except that they shall not be entitled to vote in respect of the election or appointment or a Director.

(4) The number of Directors to be elected, co-opted nominated under this Article (subject to a ceiling of 27 Directors in terms of this Article) shall be determined by the General Body from time to time.”

II. The existing Articles 44 (I) and (b) shall be substitute by the following, namely :

"44(a) For purposes of election of Board of Directors in terms of Article 43 (I) all Ordinary members of the Company shall be classified into Five panels and each panel shall elect their representatives on the Board as mentioned below : --

- (i) Merchants/Traders 4 Directors (Not exceeding)
 - (ii) Ginnings Factories 9 Directors (Not exceeding)
 - (iii) Pressing Factories 3 Directors (Not exceeding)
 - (iv) Cotton seed Crushing 2 Directors (Not exceeding)
Factories
 - (v) Textile Mills/Spinning Mills 1 Directors (Not exceeding)
- (b) With a view to give due representation on the Board for each region of the State of Andhra Pradesh, the Board of Directors may at their discretion subdivide the panel of Ginning Factories into various zones. The number, names and boundaries of such zones and the number of Directors to be elected from each such zone (subject however, to a ceiling of 9 Directors in terms of this Article) shall be determined by the Board of Directors from time to time."

[F. No. 13(2)-IT/81]

नई दिल्ली, 29 मार्च, 1982

का० आ० 1429.—केन्द्रीय सरकार, अग्रिम सविदा (वित्तियमन) अधिनियम, 1952 (1952 का 72) की धारा 5 के अधीन ईस्ट इंडिया जूट एण्ड हैमियन एक्सचेंज लि० 43, नेताजी सुभाष रोड, कलकत्ता द्वारा मान्यता के नवीकरण के लिए किए गए आवेदन पर बायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त एक्सचेंज को पश्चिम बंगाल, बिहार, असम, मेघालय, उड़ीसा, तथा त्रिपुरा और केन्द्र शासित प्रदेश अरुणाचल प्रदेश और मिजोरम में कच्चा पटसन (सेरटा सहित) की अग्रिम सविदाओं के बारे में 29 मार्च, 1982 से 28 मार्च, 1983 तक (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की अवधि के लिए मान्यता प्रदान करती है।

2 एतद्वारा प्रदत्त मान्यता इस शर्त के अधीन है कि उक्त एक्सचेंज ऐसे निदेशों का अनुपालन करेगा जो बायदा बाजार आयोग द्वारा समय-समय पर दिए जाएं।

[संख्या 12(1)-आई० टी०/82]

New Delhi, the 29th March, 1982

S.O. 1429.—The Central Government, having considered, in consultation with the Forward Markets Commission, the application for renewal of recognition, made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (14 of 1952) by the East India Jute and Hessian Exchange Limited, 43, Netaji Subhas Road, Calcutta, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of one year from the 29th March, 1982 to the 28th March, 1983 (both days inclusive) in respect of forward contracts in raw jute (including mesta) in the States of West Bengal, Bihar, Assam, Meghalaya, Orissa and Tripura and the Union Territories of Arunachal Pradesh and Mizoram.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may, from time to time, be given by the Forward Markets Commission.

[F. 12(1)-IT/82]

का० आ० 1430.—केन्द्रीय सरकार का ईस्ट इण्डिया जूट और हैमियन एक्सचेंज लिमिटेड, 47 नेताजी सुभाष रोड, कलकत्ता द्वारा अग्रिम सविदा (वित्तियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन मान्यता के नवीकरण के लिए प्राप्त आवेदन पर बायदा बाजार आयोग से परामर्श करके, यह समाधान हो गया है कि ऐसा करना व्यापार और लोकहित में है, अतः उक्त अधिनियम की धारा 6 द्वारा, कलकत्ता नगर में जूट के माल (किसी मिल द्वारा बनाया गया किसी भी किस्म का हेशन और बोरी का कपड़ा या बोरे या दोनों, मुतली या धागे या दानों या जूट से बनाए गए, किसी भी अन्य प्रकार के उत्पाद) की अग्रिम सविदा की बाबत प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एक्सचेंज को 29 मार्च, 1982 से 28 मार्च, 1983 (जिसमें ये दोनों दिन भी सम्मिलित हैं) तक की एक वर्ष की और अवधि के लिए मान्यता देती है।

स्पष्टीकरण—इस अधिसूचना में, कलकत्ता नगर से अभिप्रेत है :—

(1) कलकत्ता म्युनिसिपल अधिनियम, 1951 (पश्चिमी बंगाल अधिनियम, 1957 का 33) की धारा 5 में यथापरिभाषित कलकत्ता और क्लाइ रोड का हैस्टिंग मार्थ या साउथ भद्रा और नदी के किनारे तक स्ट्रेन्ड रोड और क्षेत्र जो पहले टापीगंज नगरपालिका के, जो अब निष्क्रिय है, अर्थात् था;

(2) कलकत्ता पत्तन और

(3) 24 परगना, नादिया, हावड़ा और हुगली के जिले।

(2) इसके द्वारा अनुदत्त मान्यता इस शर्त के अधीन है कि उक्त एक्सचेंज ऐसे निदेशों को लागू होगा जो समय-समय पर बायदा बाजार आयोग द्वारा दिए जाएं।

[संख्या 12(1)-आई० टी०/82]

एच० एस० सेठ, अवर सचिव

S.O. 1430.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition, made under Section 5 of the Forward Contracts (Regulation) Act, 1952, (74 of 1952), by the East India Jute and Hessian Exchange Limited, 43, Netaji Subhas Road, Calcutta, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 5 of the said Act, recognition to the said Exchange for a further period of one year from the 29th March, 1982 to the 28th March, 1983 (both days inclusive) in respect of forward contracts in jute goods (hessian and sacking cloth or bag or both, twines or yarns or both manufactured by any of the mills or any other manufacture of whatever made from jute) in the city of Calcutta.

Explanation :—In this notification, the expression "city of Calcutta" means :

(1) Calcutta as defined in Clause (ii) of Section 5 of the Calcutta Municipal Act, 1951, (West Bengal Act, 33 of 1951), together with part of Hastings North or South edge of Clyde Row and Strand Road to the river bank and the areas which were previously under the now defunct Tollygunge Municipality.

(2) The port of Calcutta; and

(3) The Districts of 24 Parganas, Nadia, Howrah and Hoogly.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may, from time to time, be given by the Forward Markets Commission.

[F.12(1)-IT/82]

H. S. SETH, Under Secy.


भारतीय मानक संस्था

नई दिल्ली, 1982-03-18

क्र० आ० 1431 - भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955 के नियम 4 के उपनियम 1 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिस मानक चिह्न की डिजाइन, उसके शाब्दिक विवरण तत्सम्बन्धी भारतीय मानक का शीर्षक ग्राह्य नीचे अनुसूची में दिया गया है वह भारतीय मानक संस्था द्वारा तयधारित किया गया है।

भारतीय मानक संस्था प्रमाणन चिह्न (अधिनियम 1952) और उसके अधीन बने नियमों और विनियमों के कार्यों के लिए यह मानक चिह्न दिनांक 1981-11-01 से लागू होगा।

अनुसूची

क्रम	मानक चिह्न की डिजाइन संख्या	उत्पादन/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की पद संख्या और शीर्षक	मानक चिह्न के डिजाइन का शाब्दिक विवरण
(1)	(2)	(3)	(4)	(5)
1.		एलुमिनियम सल्फेट, अलौह केवल तकनीकी ग्रेड	IS 260-1969 एलुमिनियम सल्फेट अलौह की विशिष्ट (पहला पुनरीक्षण)	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और डिजाइन में दिखाया गया है उसके जैसे मोनोग्राम के ऊपर की ओर भारतीय मानक की पदसंख्या और वर्ष अंकित किया गया है।

[सी एम बी/13: 9]


INDIAN STANDARDS INSTITUTION

New Delhi, the 1982-03-18

S.O. 1431.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby, notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 18-11-01 :



SCHEDULE

S. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the standard mark
(1)	(2)	(3)	(4)	(5)
1.		Aluminium sulphate, non-ferric, technical grade only	IS:260-1969 Specification for aluminium sulphate, non-ferric. (first revision)	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2) the number of the Indian Standard, alongwith its year, being superscribed on the top side of the monogram as indicated in the design.

का० आ० 1432—भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955 के नियम 4 के उपनियम 1 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिन मानक चिह्नों की डिजाइन, उनके शाब्दिक विवरण तत्सम्बन्धी भारतीय मानकों के शीर्षकों सहित नीचे अनुसूची में दिए गए हैं, वे भारतीय मानक संस्था द्वारा निर्धारित किए गए हैं।

भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम 1952 और उसके अधीन बने नियमों और विनियमों के कार्यों के लिए मानक चिह्न प्रत्येक के आगे दी गई तिथियों से लागू होंगे।

अनुसूची



क्रम सं०	मानक चिह्न के डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की पद संख्या और शीर्षक	मानक चिह्न के डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.		दो-स्तरीय, एक लिटर वाले ईंधन फिल्टर	IS : 3169—1965 दो-स्तरीय, एक लिटर वाले ईंधन फिल्टरों की विनिर्दिष्ट	भारतीय मानक संस्था का मोनोग्राम जिसमें "ISI" शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या और वर्ष प्रकट किया गया है।	1981-06-01
2.		उथले कुण के लिए हाथ के पम्प	IS : 8035—1976 उथले कुण के लिए हाथ के पम्पों की विनिर्दिष्ट	भारतीय मानक संस्था का मोनोग्राम जिसमें "ISI" शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या और वर्ष प्रकट किया गया है।	1981-02-16

[सं० सी० एम० डी०/13 : 9]

S.O. 1432.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standard Institution, hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each.


SCHEDULE

S. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the design of the Standard Mark	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1.		Two stage, one litre fuel filters for diesel engines	IS:3169-1965 Specification for two stage, one litre fuel filters for diesel engines	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col. (2); the number of the Indian Standard, along with its year, being superscribed on the top side of the monogram as indicated in the design.	1981-06-01
2.		Shallow well hand pump	IS:8035-1976 Specification for shallow well hand pump	-do-	1981-02-16

क्र० आ० 1433—भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) दिनांक 1980-04-28 में प्रकाशित तत्कालीन वाणिज्य एवं नागरिक पूर्ति मंत्रालय (नागरिक पूर्ति विभाग) (भारतीय मानक संस्था) अधिसूचना संख्या एस० ओ० 1155 दिनांक 1980-04-09 के भागे भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि सोडियम थायोसल्फेट की मानक चिह्न की एक अतिरिक्त डिजाइन तैयार की गई है। इससे सम्बन्धित भारतीय मानक के शीर्षक और डिजाइन के शाब्दिक विवरण संहिता नीचे अनुसूची में दिया गया है।

भारतीय मानक संस्था प्रमाणन चिह्न अधिनियम, 1952 और उसके अधीन बने नियमों और विनियमों के कार्यों के लिए यह मानक चिह्न की डिजाइन 1981-10-16 से लागू होगा।

अनुसूची


क्रम	मानक चिह्न की डिजाइन संख्या	उत्पादन/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की पद-संख्या और शीर्षक	मानक चिह्न की डिजाइन का शाब्दिक विवरण
(1)	(2)	(3)	(4)	(5)
1		सोडियम थायोसल्फेट स्फटिक	IS : 246—1972 सोडियम थायो-मल्फेट स्फटिक की विशिष्टि (तीसरा पुनरीक्षण)	भारतीय मानक संस्था का मोनोग्राम जिसमें 'ISI' शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की संख्या और मोनोग्राम के नीचे की ओर शब्द 'टेक' प्रकृत किया गया है।

[संख्या सी० एम० ओ०/13: 9]

S.O. 1433.—In continuation of the then Ministry of Commerce and Civil Supplies (Department of Civil Supplies) (Indian Standards Institution) notification number S.O. 1155 dated 1980-04-09, published in the Gazette of India, Part-II, Section -3, sub-section (ii), dated 1980-04-26, the Indian Standards Institution, hereby, notifies an additional design of the standard mark for sodium thiosulphate, together with the verbal description and the title of the Indian Standard, is given in the following Schedule.

This design of the Standard Mark, for the purposes of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1981-10-16.

SCHEDULE


Sl. No.	Design of the Standard Mark	Product/Class of Product	No. & Title of the Relevant Indian Standard	Verbal Description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1.		Sodium thiosulphate, crystalline	IS:246-1972 Specification for sodium thiosulphate, crystalline (third version)	The monogram of the Indian Standard Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2) the number of the Indian Standard being superscribed on the top side and the word 'TECH' being subscribed under the bottom side of the monogram as indicated in the design.

[No. CMD/13:9]

क्र० आ० -1434— भारतीय मानक संस्था (प्रमाणन चिह्न) नियम 1955 के नियम 4 के उपनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिस मानक चिह्न की डिजाइन, उसके शाब्दिक विवरण, तत्सम्बन्धी भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दिखाया गया है वह भारतीय मानक संस्था द्वारा निर्धारित किया गया है।

भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम 1952 और उसके अधीन बने नियमों और विनियमों के कार्यों के लिए यह मानक चिह्न दिनांक 1981-12-10 से लागू होगा।

अनुसूची

क्रम मानक चिह्न की डिजाइन संख्या	उत्पादन/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की पदसंख्या और शीर्षक	मानक चिह्न के डिजाइन का शाब्दिक विवरण	
(1)	(2)	(3)	(4)	(5)
1. 	द्रोणीनुमा पट्टा कन्वेयर के ग्राइडिलरों के लिए इम्पात की नलियां	IS: 9295--1979 द्रोणीनुमा पट्टा कन्वेयर के ग्राइडिलरों के लिए इम्पात की नलियों की विशिष्टि	भारतीय मानक संस्था के मोनोग्राम जिसमें 'ISI' शब्द होते हैं, स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की संख्या और वर्ष प्रकृत किया गया है।	

[संख्या सी० एम० ओ०/13: 9]

S.O. 1434.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution, hereby, notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulation framed thereunder, shall come into force with effect from 1981-12-01 :

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1.		Steel tubes for idlers for troughed belt conveyors	IS:9295-1979 specification for steel tubes for idlers for troughed belt conveyors	The monogram of the Indian Standards Institution consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in Col. (2) the number of the Indian Standard, alongwith its year, being superscribed on the top side of the monogram as indicated in the design.

[No. CMD/13:9]

क्रा० आ० 1435.—भारतीय मानक संस्था (प्रमाणन विह्वल) विनियम, 1955 के विनियम 7 के उपविनियम 3 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि द्रोणीकृत पट्टे कन्वेयर के प्रकृत्यांतरकों के लिए इस्पात की नलियों की प्रति इकाई मुहर लगाने की फीस नीचे अनुसूची में दिए गये की फीस के अनुसार निर्धारित की गई और यह फीस दिनांक 1981-12-01 से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	सम्बन्धी भारतीय मानक की पदसंख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	द्रोणीनुमा पट्टा कन्वेयर के धार-द्वारों के लिए इस्पात की नलियाँ	IS. 9295—1979 द्रोणीनुमा पट्टा कन्वेयर के आईडिलरों के लिए इस्पात की नलियों की विनिर्दिष्ट	1 मीटरी टन	(1) रु० 2.00 प्रति इकाई पहली 3000 इकाइयों के लिए और (2) रु० 1.00 प्रति इकाई 3001वीं और इससे ऊपर की इकाइयों के लिए

[संख्या सी० एम० डी०/13:10]

S.O. 1435.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee (per unit for steel tubes for idlers for troughed belt conveyor details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1981-12-01 :

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Steel tubes for idlers for troughed belt conveyors	IS:9295-1979 Specification for steel tubes for idlers for troughed belt conveyor.	One Tonne	(i) Rs. 2.00 per unit for the first 3000 unit and (ii) Re 1.00 per unit for the 3001st unit and above.

[No. CMD/13:10]

क्रा० आ० 1436.—भारतीय मानक संस्था (प्रमाणन विह्वल) विनियम 1955 के विनियम 7 के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि विभिन्न उत्पादों के प्रति इकाई मुहर लगाने की फीस अनुसूची में दिए गए गये गये की फीस के अनुसार निर्धारित की गई है। और ये फीस प्रत्येक के आगे दी गई विधियों में लागू होंगी।

अनुसूची

क्रम सं०	उत्पाद/उत्पाद की श्रेणी	सम्बन्धी भारतीय मानक की पद संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस	लागू होने की तिथि
(1)	(2)	(3)	(4)	(5)	(6)
1.	डीजल इंजनों के लिए दो स्तरीय, एक लिटर वाले ईंधन फिल्टर	IS. 3189—1965 डीजल इंजनों के लिए दो स्तरीय, एक लिटर, वाले ईंधन फिल्टर की विनिर्दिष्ट	एक ईंधन फिल्टर	(1) 30 पैसे प्रति इकाई पहली 20000 इकाइयों के लिए, (2) 20 पैसे प्रति इकाई 20001वीं से 30000 तक की इकाइयों के लिए, और (3) 10 पैसे प्रति इकाई 30001वीं और इससे ऊपर की इकाइयों के लिए	1981-06-01
2.	उधले कुएं के लिए हाथ के पम्प के लिए हाथ के पम्पों की विनिर्दिष्ट	IS. 8035—1976 उधले कुएं के लिए हाथ के पम्पों की विनिर्दिष्ट	एक पम्प	(1) 50 पैसे प्रति इकाई पहली 5000 इकाइयों के लिए, और (2) 25 पैसे प्रति इकाई 5001वीं और इससे ऊपर की इकाइयों के लिए	1981-02-16

[सं० सी० एम० डी०/13:10]

S.O.1436.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each;

SCHEDULE

Sl. Product/Class of Product No.	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of effect
(1)	(2)	(3)	(4)	(5)
1. Two stage, one litre fuel filters for diesel engines	IS:3168-1965 Specification for two stage, one litre fuel filters for diesel engines	One Fuel Filter	(i) 30 Paise per unit for the first 20 000 units; (ii) 20 Paise per unit for the 20 001st to 30 000 units; and (iii) 10 Paise per unit for the 30 001st unit and above.	1981-05-01
2. Shallow well hand pump	IS : 8035-1976 Specification for shallow well hand pumps	One Pump	(i) 50 Paise per unit for the first 5000 units; and (ii) 25 Paise per unit for the 5001st unit and above.	1981-02-16

[No. CMD/13:10]

क्र० आ० 1437.—भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 7 के उपविनियम 3 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि एलुमिनियम सल्फेट, अम्लोह की प्रति इकाई मुहर लगाने की फीस नीचे अनुसूची में दिए गए दिनों के अनुसार निर्धारित किया गया है और यह फीस दिनांक 1981-11-01 से लागू होगी

अनुसूची

क्रम उत्पाद/उत्पाद की श्रेणी संख्या	नस्मबन्धी भारतीय मानक की पहचान संख्या और शीर्षक	इकाई	प्रति इकाई मुहर लगाने की फीस
(1)	(2)	(3)	(4)
1 एलुमिनियम सल्फेट, केवल तकनीकी ग्रेड	IS 260-1969 एलुमिनियम सल्फेट, अम्लोह की विशिष्ट (पहला पुनरीक्षण)	1 मीट्रो टन	(1) रु० 1 00 प्रति इकाई पहला 2000 इकाइयों के लिए; और (2) 50 पैसे प्रति इकाई 2001वाँ इकाई और हमारे ऊपर की इकाइयों के लिए।

[मं० सी० एम० डी०/13 : 10]

S. O. 1437.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution, hereby, notifies that the marking fee(s) per unit for aluminium sulphate, non-ferric details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1981-11-01.

SCHEDULE

Sl. Product/Class of Product No.	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)
1. Aluminium sulphate, non-ferric, technical grade only	IS:260-1969 Specification for aluminium sulphate, non-ferric (First revision)	One Tonne	(i) Re 1.00 per unit for the first 2000 units and (ii) 50 Paise per unit for the 2001st unit and above.

[No. CMD/13:10]

क्रा० आ० 1438.—भारतीय मानक संस्था (प्रमाणन चिह्न) 1955 के विनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जात है कि उक्त विनियम 3, उप-विनियम (1) के अनुसार प्राप्त अधिकारों के अधीन यहाँ अनुसूची में दिष्ट गए भारतीय मानक का संगोपन जारी किया गया है।

अनुसूची

क्रम सं०	संगोपित भारतीय मानक की पद संख्या और शीर्षक	जिस राष्ट्रपत्र में भारतीय मानक के तैयार होने की सूचना छपी थी, उसकी संख्या और तिथि	संगोपन की संख्या और तिथि	संगोपन का मसिफत विवरण	संगोपन लागू होने की तिथि
1.	IS : 5410-1969 बॉल्ट रंग के सीमेंट रंग रोगन की विशिष्टि	एस० आ० 918 दिनांक 1970-03-07	संख्या 2 जनवरी, 21 1982	(पृष्ठ 5, सारणी 1, स्तम्भ 3, क्रम सं० (v) के सामने "3 0 के स्थान पर "5 0" कर लीजिए	1982-01-31

[संख्या सी० एस० डी०/13: 5]
(ए० पी० बनर्जी, अपर महानिदेशक)

New Delhi, the 1982-03-26

S.O. 1438.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that amendment to the Indian Standard given in the schedule hereto annexed has been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

SCHEDULE

Sl. No & Title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the amendment	Brief Particulars of the Amendment	Date from which the amendment shall have effect
1. IS : 5410-1969 Specification for cement paint, colour as required	S.O. 918 dated 1970-03-07	No. 2 Jan 1982	[Page 5, Table 1, Col 3, against Sl. No. (v)]—Substitute '5.0' for '3.0'	1982-01-31

[No. CMD/13:5]

A.P. BANERJI, Addl. Director General

विदेश मंत्रालय

नई दिल्ली, 29 मार्च, 1982

क्रा० आ० 1439.—राजनयिक तथा कंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41 वां) के खंड 2 की धारा (क) के अनुसरण में केन्द्र सरकार, इसके द्वारा भारत का राजदूतावास, जेद्दा, सऊदी अरब में सहायक श्री डी० के० शर्मा और ए० पी० कार्वे को तत्काल से कंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[क्रा० सं० टी० 4330/2/82]

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 29th March, 1982

S.O. 1439.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948) the Central Government hereby authorise S/Shri D. K. Sharma and A. P. Karve, both Assistant in the Embassy of India, Jeddah, Saudi Arabia to perform the duties of a Consular Agent with immediate effect.

[File No. T. 4330(2)/82]

क्रा० आ० 1440.—राजनयिक तथा कंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41 वां) के खंड 2 की धारा (क) के अनुसरण में केन्द्र सरकार, इसके द्वारा भारत का राजदूतावास, अल्जीयर्स

में सहायक श्री पी० एल० खोसला को तत्काल से कंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[फाइल सं० टी० 4330/2/82]

जे० हजारी, अपर सचिव

S.O. 1440.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948) the Central Government hereby authorise Shri P. L. Khosla, Assistant in the Embassy of India, Algiers to perform the duties of a Consular Agent with immediate effect.

[File No. T. 4330(2)/82]

J. HAZARI, Under Secy.

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 24 मार्च, 1982

क्रा० आ० 1441.—यनः पेट्रोलियम और खनिज पदार्थों का उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 3130 तारीख 20-8-79 द्वारा केन्द्रीय सरकार ने उस अधिनियम से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार

को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से सम्बन्धित अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में सम्बन्धित अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख की विहित होगी।

अनुसूची

सी० टी० एफ० कलोनी से दक्षिण कच्ची तक पाइप लाइन बिछाने के लिए।

राज्य गुजरात, जिला महेसाणा, तहसील कडि

गांव	सर्वे नं०	हेक्टेयर	आर	सेण्टी-यर
अन्कोल	15	0	02	00
	16	0	05	75
	18	0	02	65
	KANS	0	01	30
	24	0	00	70
	23	0	07	00

[सं० 12016/37/79-प्रो०]

MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZER

(Department of Petroleum)

New Delhi, the 24th March, 1982

S.O. 1441.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer (Department of Petroleum), S.O. No. 3130 dated 20-8-79 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from CTF Kalol to South Kadi

State : Gujarat	District : Mehsana		Taluka : Kadi	
Village	Survey No.	Hectare	Are	Centiare
Ankhol	15	0	02	00
	16	0	05	75
	18	0	02	65
	Kans	0	01	30
	24	0	00	70
	23	0	07	00

[No. 12016/37/79-Prod.]

का० आ० 1442.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लाकहित में यह आवश्यक है कि गुजरात राज्य में एन० के० सी० टी० से एन० के० सी० एल० से एन० के० सी० एफ० तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अब, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (II) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए अक्षम सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुतवादी व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी० एस० नं० एम० के० सी० टी० से एन० के० सी० एल० से एन० के० सी० एफ०

राज्य . गुजरात	तालुका व जिला .	महेसाणा		
गांव	सर्वे नं०	हेक्टेयर	ए आर ई	सेण्टी- यर
धानपुरा	260	0	10	56
	262	0	17	52

[सं० 12016/69/81-प्रो०]

S.O. 1442.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NKCI to NKCL to NKCF in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from D. S. No. NKCT to NKCL to NKCF

State : Gujarat	Taluka & District : Mehasana			
Village	Survey No.	Hectare	Are	Centiare
Dhanpura	260	0	10	56
	262	0	17	52

[No. 12016/69/81-Prod.]

सां. भां. 1443.—यत्. केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन० के० सी० घाई० से जी० जी० एस० कडी - 1 तक पेट्रोलियम के परिवहन के लिये पाइप-लाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए ।

और यत्: यह प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिये एन०पाइप लाइन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन०पाइप लाइन घोषित किया है ।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित. यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

जी० एस० एन० के० सी० घाई० से जी० जी० एस० कडी-1

राज्य : गुजरात	जिला : प्रहमवाबाद तालुका : विरमगाम			
गांव	सर्वे नं०	हेक्टेयर	ए० घ्रा०	सेन्टी- है
न्दापीया	37/2	0	01	32
	37/1	0	04	00
	36	0	13	12
	35/2	0	11	76
	35/1	0	03	84
	33/2	0	05	28
	33/1	0	00	60
	54/2	0	06	84
	54/1	0	10	32

[सं० 12016/69/81-प्र० II]

S.O. 1443.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NKCI to GGS Kadi 1 in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from D.S. No. NKCI to GGS KADI-1.

State : Gujarat	Taluka : Viramgam District : Ahmedabad			
Village	Survey No.	Hectare	Are	Centiare
Bhataria	37/2	0	01	32
	37/1	0	04	00
	36	0	13	12
	35/2	0	11	76
	35/1	0	03	84
	33/2	0	05	28
	33/1	0	00	60
	54/2	0	06	84
	54/1	0	10	32

[No. 12016/69/81-Prod. II]

ERRATA

New Delhi, the 25th March, 1982

S.O. 1444.—In the schedule appended to the notification of the Govt. of India, Ministry of Petroleum, Chemicals & Fertilisers (Deptt. of Petroleum) S.O. No. 2590 dated 3-10-81 Notification No. 12020/3/81 Prod dated 17-9-81 u/sub section (1) of section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published at pages 3252 to 3254 dated 30-10-81 of Gazette of India Part II, section 3, sub-section (ii) for Tehsil Fatehgarh Sahib (Sirhind) District Patiala State of Punjab.

Name Vill.	For			Read		
	Khasra No.	H.A.	Sqm.	Kharsa No.	H.A.	Sqm.
Bassi (Pathana) H. No. 103	31/13 Min	0 00	00	31/3 Min	0 00	00
	67/14 Min	9 00	76	67/14 Min	0 00	76
	724 „	0 02	82	724	0 02	28

[12020/3/81-Prod]

नई दिल्ली, 25 मार्च 1982

क्र० आ० 1445—यस पेट्रोलियम, और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मन्त्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 3138 तारीख 2087 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अंजित करने का अपना आशय घोषित कर दिया था।

और यन्. सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार का रिपोर्ट दे दी है।

और आने, यत् केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अंजित करने का विनिश्चय किया है।

अब, अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अंजित किया जाता है।

और आने उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

सी०टी० एफ० कलोल में दक्षिण कड़ी तक पाइप लाइन बिछाने के लिए।

राज्य	सुजरात	जिला	मेहसाणा	तहसील	कलोल
पार	मर्बे सं०	हेक्टर	भार	संटीयर	
1	2	3	4	5	
मर्बेज	993	0	06	30	
	कार्ट ट्रेक	0	00	40	
	1182	0	02	75	
	1185/1/डी	0	01	10	
	1185/2	0	01	50	
	1187/1	0	01	15	
	1187/2	0	01	05	
	1187/3	0	01	25	
	1188/2	0	02	65	
	1189/1	0	00	75	
	1189/3	0	00	80	
	1190/2	0	01	05	
	1190/1	0	00	20	
	1191/2	0	00	25	
	1191/1	0	01	25	
	1192/1	0	01	50	
	1171/4	0	01	60	
	1171/2	0	01	40	
	1171/1	0	01	50	
	1162	0	00	50	
	1169/2	0	01	65	
	1168/2	0	02	25	

1	2	3	4	5
1165	0	04	70	
कार्ट ट्रेक	0	00	15	
1234/6	0	01	25	
1233	0	00	15	
1234/3	0	01	30	
1234/5	0	01	00	
1152/1	0	01	15	
1235/2	0	03	75	
1235/1	0	01	50	
कार्ट ट्रेक	0	00	20	
1236	0	04	40	
1237/1	0	00	50	
1239	0	03	75	
1240	0	00	25	
कार्ट ट्रेक	0	00	45	
1425/1	0	03	00	
1403/1	0	04	00	
1403/3-	0	05	80	
1401/1	0	01	20	
1404	0	00	20	
1405/1	0	03	45	
1405/2	0	02	00	
1399/1	0	00	30	
1406/1	0	01	20	
1397	0	05	25	
1396	0	06	15	
1395/1	0	01	50	
1394	0	01	15	
1393	0	01	15	
1382	0	01	70	
1381/2	0	01	10	
1380	0	00	90	
1379	0	00	85	
1378	0	01	25	
1377	0	04	50	
1376	0	05	50	
कार्ट ट्रेक	0	00	20	

[नं० 12016/36/79-प्रोच०]

New Delhi, the 25th March, 1982.

S.O. 1445.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum), S.O. No. 3138 dated 20-8-79 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of users in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

R.O.U. For CTF Kalol to South Kadi

State : Gujarat District : Mehsana Taluka : Kalol

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Saij	993	0	06	30
	Cart track	0	00	40
	1182	0	02	75
	1185/1/D	0	01	10
	1185/2	0	01	50
	1187/1	0	01	15
	1187/2	0	01	05
	1187/3	0	01	25
	1188/2	0	02	65
	1189/1	0	00	75
	1189/3	0	00	80
	1190/2	0	01	05
	1190/1	0	00	20
	1191/2	0	00	25
	1191/1	0	01	25
	1192/1	0	01	50
	1171/4	0	01	60
	1171/2	0	01	40
	1171/1	0	01	50
	1162	0	00	50
	1169/2	0	01	65
	1168/2	0	02	25
	1165	0	04	70
	Cart track	0	00	15
	1234/6	0	01	25
	1233	0	00	15
	1234/3	0	01	30
	1234/5	0	01	00
	1152/1	0	01	15
	1235/2	0	03	75
	1235/1	0	01	50
	Cart track	0	00	20
	1236	0	04	40
	1237/1	0	00	50
	1239	0	03	75
	1240	0	00	25
	Cart track	0	00	45
	1425/1	0	03	00
	1403/1	0	04	00
	1403/3	0	05	80
	1401/1	0	01	20
	1404	0	00	20
	1405/1	0	03	45
	1405/2	0	02	00
	1399/1	0	00	30

1	2	3	4	5
	1406/1	0	01	20
	1397	0	05	25
	1396	0	06	15
	1395/1	0	01	50
	1394	0	01	15
	1393	0	01	15
	1382	0	01	70
	1381/2	0	01	10
	1380	0	00	90
	1379	0	00	85
	1378	0	01	25
	1377	0	04	50
	1376	0	05	50
	Cart track	0	00	20

[No. 12016/36/79-Prod.]

नई दिल्ली, 26 मार्च, 1982

क्र० भा० 1446.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० भा० सं० 3135 तारीख 20-8-79 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (2) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख की तिथि होना।

अनुसूची

मी० टी० एफ० कलोल से दक्षिण कडी तक पाइप लाइन बिछाने के लिए

राज्य	गुजरात	जिला	मेहसाना	तहसील	कडी
गांव	सर्वे न०	हेक्टर	एचारेई	संटीयर	
अचारासन	61/4	0	02	50	
	61/3	0	02	60	
	61/2	0	02	80	
	61/1	0	01	40	
	60	0	02	00	
	59	0	06	75	
	58	0	05	00	
कार्ट ट्रैक		0	00	35	
	57	0	07	70	
	54	0	01	10	
	56	0	00	65	
	55	0	04	25	
	45	0	06	50	
	46	0	05	60	
	43/1	0	05	50	
	42	0	08	85	
	40/2	0	00	30	
	40/1	0	03	00	
	40/3	0	02	50	
	39/3	0	00	40	
	39/2	0	02	40	
	39/1	0	00	80	
	334/1	0	01	15	
	242	0	10	15	
	245	0	00	80	
	246/5	0	00	55	
	246/4	0	01	30	
	246/3	0	01	25	
	246/2	0	01	25	
	246/1	0	00	70	
	308	0	09	10	
	304	0	05	90	
	300	0	07	65	
	298	0	05	05	

[सं० 12016/42/79-प्रोड-I]

S.O. 1446.—Whereas by a notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer (Department of Petroleum), S.O. No. 3135 dated 20-8-79 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has after considering the said report, decided to acquire right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said 1500 GI/81—5

lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of users in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from CTF Kalol to South Kadi

State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hec-tare	Are	Cent-tare
Acharasan	61/4	0	02	50
	61/3	0	02	60
	61/2	0	02	80
	61/1	0	01	40
	60	0	02	00
	59	0	06	75
	58	0	05	00
Cart Track		0	00	35
	57	0	07	70
	54	0	01	10
	56	0	00	65
	55	0	04	25
	45	0	06	50
	46	0	05	60
	43/1	0	05	50
	42	0	08	85
	40/2	0	00	30
	40/1	0	03	00
	40/3	0	02	50
	39/3	0	00	40
	39/2	0	02	40
	39/1	0	00	80
	334/1	0	01	15
	242	0	10	15
	245	0	00	80
	246/5	0	00	55
	246/4	0	01	30
	246/3	0	01	25
	246/2	0	01	25
	246/1	0	00	70
	308	0	09	10
	204	0	05	90
	300	0	07	65
	298	0	05	05

[No. 12016/42/79-Prod-I]

नई दिल्ली, 27 मार्च, 1981

का०आ० 1447.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में दक्षिणसवाल जी जी एस से उत्तर कडी जी० जी० एस-1 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (II) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग के अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बतान कि उक्त भूमि में द्वितीय कोई व्यक्ति, उक्त भूमि के नीचे पाइपलाइन बिछाने के लिए, विशेष सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और बेकाबाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति धितविष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

वर्धन संभाल जी० जी० एस० से उत्तर कड़ी जी० जी० एस०-I
राज्य : गुजरात तालुका : जिला : मेहसाना

गांव	ब्लॉक नं०	हेक्टर	एआई	सेटीयर
कसलपुरा	851	0	00	90
	852	0	01	70
	893	0	04	10
	859	0	00	75
	860	0	02	50
	892	0	00	36
	874	0	03	80
	886	0	05	20
	884	0	01	45
	883	0	01	45

[सं० 12016/4/81-प्रोड०]

टी० एन० परमेश्वरन्, अधिवक्ता

New Delhi, the 27th March, 1982

S.O. 1447.—Whereas it appears to the Central Government that it is necessary in the public interest for the transport of petroleum from South Santhal GGS to N.K. GGS I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipelines from South Santhal GGS to NK GGS I
State : Gujarat Taluka & District : Mehsana

Village	Block No.	Hec- tare	Are	Centi- aro
1	2	3	4	5
Kasarpura	851	0	00	90
	852	0	01	70
	893	0	04	10
	859	0	00	75
	860	0	02	50
	892	0	00	36
	874	0	03	80

1.	2	3	4	5
	886	0	05	20
	884	0	01	45
	883	0	01	45

[No. 12016/4/81-Prod]

T.N. PARAMESWARAN Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 27 मार्च, 1982

का० आ० 1448.—यतः भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खंड (ड) के अनुसरण में केन्द्रीय सरकार ने लेफ्टिनेंट जनरल जी० एन० गुप्ता जो सरकारी सेवा में निवृत्त हो गए हैं, के स्थान पर लेफ्टिनेंट जनरल एन० एम० सेठ, पी० बी० एम० एम०, पी० एन० एम० को तृतीया फरवरी, 1982 से भारतीय आयुर्विज्ञान परिषद का अध्यक्ष मनोनीत किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा भूतपूर्व स्वास्थ्य मंत्रालय, भारत सरकार की 9 फरवरी, 1960 की अधिसूचना संख्या 5-13/51-एम० 1 में निम्न-लिखित और संशोधन करती है, अर्थात् —

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खंड (ड) के अधीन मनोनीत, शीर्ष के अंतर्गत क्रम संख्या 3 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि प्रतिस्थापित की जाए, अर्थात् —

“3 लेफ्टिनेंट जनरल एन० एम० सेठ पी० बी० एम० एम०,
पी० एन० एम०

महा-निदेशक

सामान्य सेवा चिकित्सा सेवाएं

नई दिल्ली।”

[सं० बी० 11013/29/81-एम०ई०(पी)]

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 27th March, 1982

S.O. 1448.—Whereas the Central Government have in pursuance of clause (e) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), nominated Lt. General H. S. Seth, PVSM, PHS vice Lt. General D. N. Gupta, who has since retired from Government Service, as a member of the Medical Council of India with effect from the 1st February, 1982;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading “Nominated under clause (E) of sub-section (1) of section 3”, for serial number 3 and the entry relating thereto, the following serial number and entry shall be substituted, namely:—

“3. Lt. General H. S. Seth, PVSM, PHS.

Director General,

Armed Forces Medical Services,

New Delhi.”

[No. V. 11013/29/79-ME(POLICY)]

P. C. JAIN, Under Secy.

आदेश

नई दिल्ली 31 मार्च, 1982

का०आ० 1449.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य संचालन की 14 अगस्त, 1962 की अधिसूचना संख्या का०आ० 2646 द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) के अन्तर्गत के लिए हमसबो विश्वविद्यालय द्वारा प्रदत्त डाक्टर आफ मेडिसिन मान्य चिकित्सा अर्हता होगी;

और यतः डा० अब्दुल साहिब अल-दिवानी जिसके पास उक्त अर्हता है, धर्मार्थ कार्य के प्रयोजनों के लिए फिलहाल रामकृष्ण मिशन, बेलूर मठ, हावड़ा, पश्चिम बंगाल के साथ सम्बद्ध हैं,

अतः अब, उक्त अधिनियम की धारा 14 की उप-धारा (1) के परस्पर के खंड (ग) का पालन करते हुए केन्द्रीय सरकार एतद्वारा (क) 24 सितम्बर, 1981 से दो वर्ष की और अवधि, अथवा (ख) उस अवधि को जब तक डा० अब्दुल साहिब अल-दिवानी उक्त रामकृष्ण मिशन, बेलूर मठ, जिला हावड़ा, पश्चिम बंगाल के साथ संबद्ध रहते हैं, जो भी कम हो वह अवधि विनिश्चित करती है, जिसमें पूर्वोक्त डाक्टर मेडिकल प्रैक्टिस कर सकेंगे।

[सं० वी० 11016/12/80-एम०ई०(पी)]

पी० सी० जैन, अवर सचिव

ORDER

New Delhi, the 31st March, 1982

S.O. 1449.—Whereas by the notification of the Government of India in the late Ministry of Health No. S.O. 2646 dated the 14th August, 1962, the Central Government has directed that the medical qualification, Doctor of Medicine granted by the University of Hamburg, West Germany shall be recognised medical qualification for the purpose of the Indian Medical Council Act 1956 (102 of 1956);

And whereas Dr. Abdul Sahib Al-Diwany, who possesses the said qualification is for the time-being attached to the Rama Krishna Mission, Belur Math, Howrah, West Bengal for the purposes of charitable work.

Now, therefore in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(a) a further period of two years with effect from the 24th September, 1981, or

(b) the period during which Dr. Abdul Sahib Al-Diwany is attached to the said Ramakrishna Mission, Belur Math, District Howrah, West Bengal

whichever is shorter, as the period to which the medical practice by the aforesaid doctors shall be limited.

[No. V-1/1016/12/80-M.E.(Policy)]

P. C. JAIN, Under Secy.

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 27 मार्च 1982

का०आ० 1450.—पशु पालन अधिनियम, 1898 (1898 का अधिनियम 9) के खण्ड 3, उप-खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार 27-2-1982 में तीन महीने की अवधि के लिए यु०के० गाय-बैड, फ्रांस, अपरीका, पास्टोरिया, पश्चिमी जर्मनी, बेल्जियम, जापान, आस्ट्रेलिया डेनमार्क और इटली से अश्वजातीय पशुओं के आयात पर एतद्वारा प्रतिबन्ध लगाती है। यह प्रतिबन्ध 4 वर्ष तक की आयु के शवकों और अश्व-शामको (फोलीज) पर लागू नहीं होगा जिनका रंधी भेल नहीं कराया गया है और जो प्राच्य स्टाफ के सम्पर्क में नहीं रहे हैं, बशर्ते कि :—

(क) अधिनियम के अन्तर्गत विनिश्चित स्वास्थ्य आवश्यकताओं के प्रतिबन्धित युवा अश्वजातीय पशुओं के साथ प्राधिकृत पशु-चिकित्सक का इस आशय का पशु चिकित्सा संबंधी एक स्वास्थ्य प्रमाणपत्र हो कि पशुगत एक वर्ष के दौरान प्रजनन स्टाक के सम्पर्क में नहीं रहा है और इन पशुओं के निगमन तथा भ्रूणदान। यौनि और सर्जिकल में एकत्र की गई फुरेरो मानक संवन्धनिक और सीरम संबंधी पद्धतियों द्वारा व्याधि विषयक सूक्ष्म अणुओं, विशेषकर हेमोफिलस इक्विनेमेट्रिटिस के लिए निरीत हेतु पोत रक्षण के 30 दिनों के अन्तर निरन्तर तीन परीक्षण करने पर नकारात्मक पाई गई है।

(ख) भारत में प्राप्त किए जाने पर अश्वजातीय पशुओं का कृषि मंत्रालय द्वारा स्वीकृत परिसर में 30 दिन तक पनप रखा जाएगा। संगरोध की अवधि के दौरान पशुओं का एक मान्यता प्राप्त प्रयोगशाला में साप्ताहिक अन्तरीय पर निरन्तर तीन बार जीवाणु और सीरम संबंधी संवैधानिक जांच का जाएगा और नकारात्मक अश्वजातीय मेट्रिटिस (काल्टेजियस इक्विनेमेट्रिटिस) राग के लिए नकारात्मक धारित किए जाने के बावजूद इन पशुओं की अन्य पशुओं के साथ मिलाया जावेगा।

[सं० 50-22/77-एल०डी०टी० (एल एन-ए 8यू) भाग-2]

पी०जी० रामरखिानी, निदेशक
(पशुपालन)

MINISTRY OF AGRICULTURE

(Department of Agriculture & Cooperation)

New Delhi, the 27th March, 1982

S.O. 1450.—In exercise of the powers conferred by sub-section (i) of Section 3 of Livestock Importation Act, 1898 (Act 9 of 1898), the Central Government hereby prohibit for a period of three months with effect from 27-2-1982 the import from U.K. Ireland, France, U.S.A., Australia, Federal Republic of Germany, Belgium, Japan, Austria, Denmark and Italy of the equine species of animals except colts and fillies upto 4 years of age which have never been mated and have not been in contact with breeding stock provided that :

(a) In addition to the health requirements specified under the Act the young equines are accompanied by a Veterinary Health Certificate from an authorised Veterinarian that the animals have not been in contact with the breeding stock during the last one year and that the swabs collected from prepuce and Urethra/vagina and Cervix of these animals were found negative for pathogenic micro-organisms specifically Haemophilus equigenitalis, by standard cultural and serological methods, on three consecutive testings within 30 days of embarkation for export.

(b) On receipt in India such imported animals are kept in quarantine for 30 days at the premises approved by the Ministry of Agriculture. During the quarantine period the animals shall be subjected to bacteriological and serological examination by a recognised laboratory of three consecutive occasions conducted at weekly interval and will be mixed with other stock only when declared negative for contagious equine metritis infection.

[No. 50-22/77-LDT(LH-AQ) Part II]

P.G. RAMRAKHIANI, Director,
Animal Husbandry.

प्राचीन पुनर्निर्माण संशोधन

नई दिल्ली, 27 मार्च, 1982

क्रा० भा० 1451—सौंफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलैरी सीड (साबुत) श्रेणीकरण और चिह्नीकरण नियम 1967 का संशोधन करने के लिए नियमों का एक प्रारूप, कृषि उपज (श्रेणीकरण और चिह्नीकरण) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा यथा-प्रपेक्षित भारत सरकार के प्राचीन पुनर्निर्माण संशोधन की अधिसूचना संख्या 1187 तारीख 20 मार्च, 1981 के अधीन भारत के राजपत्र भा 2, खंड 3, उपखण्ड (ii) तारीख 11 अप्रैल, 1981 पृष्ठ 1155 से 1156 पर प्रकाशित किया गया था। जिसमें उस तारीख से जिसकी उक्त अधिसूचना वाले राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थी, 45 दिन की अवधि की समाप्ति तक उन सभी व्यक्तियों से आक्षेप और सुझाव मांगे गए थे, जिनके उससे प्रभावित होने की सम्भावना थी।

और उक्त राजपत्र 20 मार्च, 1981 को जनता को उपलब्ध करा दिया गया था ;

और केन्द्रीय सरकार ने उक्त प्रारूप की बाबत प्राप्त आक्षेपों और सुझावों पर विचार कर लिया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सौंफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलैरी सीड (साबुत) नियम, 1967 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ :—(1) इन नियमों का संक्षिप्त नाम सौंफ नियम (साबुत और पिसी हुई, मेथी (साबुत और पिसी हुई), और सेलैरी सीड (साबुत) श्रेणीकरण और चिह्नीकरण (संशोधन) नियम, 1982 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगी।

2. सौंफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलैरी सीड (साबुत) श्रेणीकरण और चिह्नीकरण नियम 1967 में,—

(क) अनुसूची III के स्थान पर निम्नलिखित अनुसूची रखी जाएगी :—

अनुसूची III

(नियम 3 और 4 देखिए)

सौंफ पाउडर का श्रेणी अभिधान और क्वालिटी की परिभाषा

अभिधान श्रेणी	विशेष लक्षण				साधारण लक्षण
	नमी भरस द्वारा प्रतिशत (अधिकतम)	कुल भरस द्वारा प्रतिशत (अधिकतम)	अस्व्य अवशेष सर्वस्य द्वारा प्रतिशत (अधिकतम)	वाष्पशील तेल प्रतिशत न्यूनतम (बी०/डब्ल्यू०)	
1	2	3	4	5	6
मानक	12.0	9.0	2.0	1.0	सौंफ पाउडर, सूखे, पके, साफ और अच्छे साबुत सौंफ फलों को पीस कर प्राप्त किया हुआ पदार्थ होगा। वह अधिमिश्रण से मुक्त, फफूंदी, कीटाणुसंक्रमण या फफूंदी गंध से मुक्त होगा। वह स्थूल-कणों से मुक्त होगा और इनका बार्गेज पिंसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रोन छलनी में से निकल जाए।

(ब) अनुसूची V के अन्तर्गत पर निम्नलिखित अनुसूची रखी जाएगी, अर्थात्—

"अनुसूची V"

(नियम 3 और 4 देखिए)

मेथी पाउडर का श्रेणी अधिधान और क्वालिटी की परिभाषा

विशेष लक्षण					
श्रेणी अधिधान	नमी भार द्वारा प्रतिशत (अधिकतम)	कुल भस्म भार द्वारा प्रतिशत (अधिकतम)	अम्ल अविलेय भस्म भार प्रतिशत (अधिकतम)	कुल शीतल जन विलेय सत्व, भार द्वारा प्रतिशत (न्यूनतम)	साधारण लक्षण
1	2	3	4	5	6
मानक	10.0	7.0	2.0	30.0	मेथी पाउडर, सूखे, पके, साफ और अच्छे साधुत मेथी बीजों को पीसकर प्राप्त किया हुआ पदार्थ होगा। वह अधिमिश्रण से मुक्त, फसूदी, कीटाणुनाशक या फफूंदी गंध से मुक्त व स्थूलकणों से मुक्त होगा और इतना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रोन की छलनी में से निकल जाए।

[सं० 10-2/80 ए० एम०]

डी० मेहता, निदेशक (विपणन)

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 27th March, 1982

S.O. 1451.—Whereas certain draft rules to amend the Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marking Rules, 1967 were published as required by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) under the notification of the Government of India, Ministry of Rural Reconstruction, S.O. 1187, dated the 20th March, 1981, at page 1155 to 1156, in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 11th April, 1981, inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of the period of 45 days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And whereas the said Gazette was made available to the public on the 20th May, 1981;

And whereas the objections and suggestions received from the public have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3 of the said Act, the Central Government hereby makes the following rules to amend the Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marketing Rules, 1967, Namely:—

RULES

1. (1) These rules may be called the Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marketing (Amendment) Rules, 1982.

2. In the Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marketing Rules, 1967:—

(a) For Schedule III, the following Schedule shall be substituted namely:—

SCHEDULE III

(See rules 3 and 4)

Grade designation and definition of quality of Fennel powder)

Grade Designation	Special Characteristics				General Characteristics
	Moisture percentage by weight (maximum)	Total Ash percentage by weight (maximum)	Acid insoluble ash, percentage by weight (maximum)	Volatile Oil percentage (minimum) (V/W)	
1	2	3	4	5	6
Standard	12.0	9.0	2.0	1.0	Fennel powder shall be the material obtained by grinding the dried, ripe, clean and sound fennel fruits of <i>Foeniculum vulgare</i> , MILL. It shall be free from admixture from mould growth, insect infestation or musty odour. It shall be free from coarse particles and ground to such a fineness that the whole of it passes through a 500-micron sieve;

(b) For Schedule V, the following Schedule shall be substitute, namely :—

SCHEDULE V

(See rules 3 and 4)

Grade designation and definition of quality of Fenugreek powder

Grade designation	Special characteristics				General characteristics
	Moisture percentage by weight (maximum)	Total Ash, percentage by weight (maximum)	Acid Insoluble ash percentage by weight (maximum)	Total cold water soluble extract percentage by weight (minimum)	
1	2	3	4	5	6
Standard	10.0	7.0	2.0	30.0	Fenugreek powder shall be the material obtained by grinding the dried, ripe, clean and sound fenugreek seeds of <i>Trigonalla foenumgraecum</i> L. It shall be free from admixture, free from mould growth, insect, infestation or musty odour. It shall be free from coarse particles and ground to such a fineness that the whole of it passes through a 500-micron sieve.

[No. 10-2/80-AM]

D. MEHTA, Director
(Marketing)

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 1 अप्रैल, 1982

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 1st April, 1982

क्र.भा.1452.—भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम IX) की धारा 82-बी द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एम.एस. गुप्ता प्रतिष्ठित जिला एवं सेशन स्याया-धोश, आगरा को 27-1-82 को मध्य रेलवे पर आगरा कैंट में 21 दक्षिण एक्सप्रेस और इटारसी अप स्पेशल मान्य गाड़ी की टक्कर के फलस्वरूप उत्पन्न सभी दावों का निपटारा करने के लिए, वाचा आयुक्त के रूप में नियुक्त करने है। उनका मुख्यालय आगरा में होगा।

[सं. 82 ई(आ) II/1/1]

हिम्मत सिंह, सचिव
रेलवे बोर्ड

एवं भारत सरकार के पदेन संयुक्त सचिव

6.O. 1452.—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (Act IX of 1890) the Central Government hereby appoints Shri N. S. Gupta, Additional District & Sessions Judge, Agra, as Claims Commissioner to deal with all the claims arising out of the collision between 21 Dn. Dakshin Express and Itarsi Up Special Goods train at Agra Cant on the Central Railway on 27-1-1982. His headquarters will be at Agra.

[No. 82E(O) II/1/1]

HAMMAT SINGH, Secy. Railway Board &
ex-Officio Jt. Secy.

आदेश

नई दिल्ली, 20 फरवरी, 1982

का.आ. 1453—केन्द्रीय सरकार की राय है कि हमसे उपलब्ध यन्त्र-सूच से विनिर्दिष्ट विषय के बारे में सिंगरेनी कोलिअरिज कम्पनी लिमिटेड के प्रबन्धन में सम्पन्न एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद की व्यापकपूर्णता के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदान शक्तियों का प्रयोग करने हुए, एक औद्योगिक अधिकरण गठित करती है जिसके फोर्सिबल अधिकारी श्री बी० प्रसाद राव होंगे, जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद की उक्त अधिनियम की व्यापकपूर्णता के लिए निर्देशित करती है।

अनुसूची

"क्या सिंगरेनी कोलिअरिज कम्पनी लि०, कोठगुडम के प्रबन्धन द्वारा श्री डी० जॉसफ, प्रधान कारदारों की कोयला खाद उद्योग के केन्द्रीय मजदूरी बोर्ड की सिफारिशों को लागू करने समय, 43-3-64 दरों-१-४२ खण्ड के तन्मयता केननमान में रखने का बड़ा घेडा " देना न्यायोचित है ? यदि नहीं, तो श्री डी० जॉसफ केननमतों के पुनरीक्षण किए जाने के रूप में क्या अनुबोध का इकदार है ?

[म० एल०- 21012/10/81-डी-IV(बी)]

ORDER

New Delhi, the 20th February, 1982

S.O 1453 - Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Singareni Collieries Co. Ltd., and their workmen in respect of the matter specified in the Schedule hereto annexed ;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. Prasada Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the management of Singareni Collieries Co. Ltd., Kothagudem are justified in giving Grade-C

to Shri D. Joseph, Head Peon while implementing the recommendations of the Central Wage Board for Coal Mining Industry instead of placing him in the corresponding scale as against Rs. 43-3-64-FB-3-82 ? If not, to what relief is Shri D. Joseph entitled by way of revision of scales of pay ?"

[No. L-21012/10/81-D-IV (B)]

New Delhi, the 29th March, 1982

S.O. 1454.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited, Bilaspur and their workmen, which was received by the Central Government on the 24th March, 1982.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)/43/1981

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Bilaspur and their workman represented through the S. K. M. Sangh (Central) Bilaspur Branch, P. O. & District Bilaspur (M.P.).

APPEARANCES :

For Workman—None.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal

DISTRICT : Bilaspur (M.P.)

AWARD

Dated : March 17, 1982

This is a reference made by the Government of India in the Ministry of Labour to this tribunal, for adjudication, vide Notification No. L-22012(7)/81-D. IV(B) dated 7th November, 1981. The matter of dispute referred to is as under :—

"Whether keeping in view all the circumstances the management of Western Coalfields Ltd., Bilaspur is justified in transferring Shri Kamal Singh, Security Guard vide Orders dated 16/21-5-1980. If not to what relief is the concerned workman entitled ?"

2. In this case both the parties were initially served for appearance on 9-12-1981 when they were to file their statements of claims. Though time for filing of statement of claim was sought by the management but no one appeared for the Union of the workman and the case was again adjourned to 6-1-1982 on which date also neither the workman nor the union representative appeared. On the adjourned dates i.e. 11-1-1982 and 6-2-1982 also no one appeared for the workman or his representative. The management had filed the statement of claim on 11-1-1982 and since no counter statement was filed by the workman or his representative the case was fixed for evidence of the parties on 12-3-1982 on which

date an order was passed that the dispute referred to this Tribunal for adjudication is the only issue for trial between the parties. The reference was accordingly fixed for evidence of the parties on 12-3-1982. On that date the workman and his union representative were absent. As evidence of neither party was present the reference was reserved for award.

3. From the order of reference it appears that the only dispute between the parties was with regard to the transfer order dated 16/21-5-1980 passed by the management of the Western Coalfields Limited.

4. As already stated, the workman has not filed any statement of claim. It is, therefore, not known as to what are the grounds on which the workman attacks the order of transfer passed by the management.

5. The management has, however, contended that while the workman was posted as Security Guard at Bilaspur there was a demand for additional Security Guard at Korba and on an administrative ground he was transferred in 1980. At Bilaspur the workman concerned was in service from May 1974. On transfer he was given transit leave, dearness allowance, disturbance allowance and also such allowances as are admissible to an employee on transfer from one place to another place. The management has further contended that this transfer is not connected with any charge of misconduct or any act of delinquency on the part of the workman. If the workman had any other valid ground viz. victimisation, unfair labour practice etc. etc. he should have filed his claim and substantiated by bringing on record some relevant facts. This has not been done. Accordingly I find no reason to reject the statement made on behalf of the management. Therefore I hold that the transfer order, which is the subject of the present reference, was passed by the management bonafide in the exercise of the managerial function and on the grounds mentioned in the statement of claim. The workman also does not appear to be interested in challenging the order of transfer in the present adjudication proceedings. I, therefore, hold that the workman in this case is not entitled to any relief.

6. For the reasons given above, the reference is answered in favour of the management and it is held that the transfer order dated 16/21-5-1980 passed in respect of the workman, Shri Kamal Singh, is not liable to any challenge and the workman is not entitled to any relief. In the circumstances of the case, both the parties are directed to bear their own costs.

S. R. VYAS, Presiding Officer
[No. L-22012(7)/81-D IV(B)]

S.O. 1455.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No 3, Dhanbad, in the industrial dispute between the employers in relation to the management of North Brook Colliery of Messrs Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 23rd March, 1982.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 62/80

PRESENT : Shri J. N. Singh,
Presiding Officer.

Parties : Employers in relation to the management of the North Brook Colliery of the Eastern Coalfields Ltd., P.O. Devchandnagar, Dist. Burdwan.

AND

Their workmen

Appearances : For the Employers Shri N. Das, Advocate
For the Workmen Shri C.S. Mukherjee, Advocate.

Industry : Coal State : West Bengal

Dated, the 17th March, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012(6)/80-D. IV(B) dated the 3rd October, 1980.

SCHEDULE

"Whether the action of the management of the North Brook Colliery of the Eastern Coalfields Ltd., P.O. Devchandnagar, Dist. Burdwan in refusing employment to Shri Shankar Das and 325 others (as per names below) was justified? If not, to what relief are the concerned workmen entitled?"

ANNEXURE

Name	Designation
1. Sh. Sankar Das	P. Khalasi
2. „ Chandra Dip Routh	Boiler Fireman
3. „ Guiram Muchi	Trammer
4. „ Narayan Gope	„
5. „ Dile Pandit	„
6. „ Mustafa Mia	M.C. Loader
7. „ Jogeshwar Muchi	Trammer
8. „ Jogdeo Bhuiya	„
9. „ Harakhu Turi	„
10. „ Haru Das	„
11. „ Mongal Bhuiya	„
12. „ Surjan Nuniya	„
13. „ Ambika Kumhar	„
14. „ Baldeo Kumhar	„

Sl. No.	Name	Designation	Sl. No.	Name	Designation
15.	Sh. Sital Jasowora	Trammer	69.	„ Indra Deo Bhuiya	Trammer
16.	„ Tondey Pasi	M.C.H.	70.	„ Lakhan Bin	„
17.	„ Shankar Jasowara	Trammer	71.	„ Jainath Kewat	MCC
18.	„ Ram Nath Rajvar	W/Loader	72.	„ Janik Bhuiya	„
19.	„ Seonath Rajvar	„	73.	„ Dhanik Dusad	„
20.	„ Panchanan Rajvar	„	74.	„ Muni Jaswara	Prop
21.	„ Ch. Baijnath Rajvar	„	75.	„ Chilkuri Teli	M.C.L.
22.	„ Jitui Rajvar	„	76.	„ Jiga Rajvar	„
23.	„ Palskdhari Rajbar	„	77.	„ Motich Kanu	„
24.	„ Panchu Rajbar	„	78.	„ Mithu Joswara	Trammer
25.	„ Nagesar Singh	Trammer	79.	„ Jouzder Harijan	M.C.
26.	„ Ramkripal Choudhary	„	80.	„ Makhara Bin	„
27.	„ Karu Das	„	81.	„ Gopi Pasi	„
28.	„ Mahabir Bhuiya	Kh.	82.	„ Sitaram Pandit	„
29.	„ Baijnath Joswara	„	83.	„ Sarju Mahato	„
30.	„ Ramlal Jaswara	„	84.	„ Ram Sabad Rajvar	W/L
31.	„ Sudama Harijan	M.C. Loader	85.	„ Shyamdeo Gope	„
32.	„ Ram Khalavan Pasi	„	86.	„ Shama Rajvar	Trammer
33.	„ Ramdeo Harlan	„	87.	„ Sivnath Joswara	„
34.	„ Adalot Shaw	„	88.	„ Ramjatan Kewat	M.C.L.
35.	„ Ramawatat Kewat I	„	89.	„ Kebal Kewat	„
36.	„ Ram Naresh Kewat	„	90.	„ Baijnath Kewat	„
37.	„ Kapildeo Chaudhary	Trammer	91.	„ Baldeo Pandit	„
38.	„ Muneswar Chaudhary	C.C.M. Maz.	92.	„ Ramlal Joswara	C.C.M.M.
39.	„ Ramgati Kewat	M.C.H.	93.	„ Behuraislam Bhuya	M.C.
40.	„ Pokhan Jhakur	Trammer	94.	„ Jaimongal Dhiber	„
41.	„ Sanlchar Rajvar	W/Leader	95.	„ Ramkewat Bin	„
42.	„ Bhaku Kumhar	„	96.	„ Ram Pujan Bhuiya	„
43.	„ Lantoo Kumhar	„	97.	„ Hariman Bhuiya	„
44.	„ Baijnath Rajvar	„	98.	„ Indradeo Ahir	„
45.	„ Samgram Rajvar	„	99.	„ Jaigobinda Harijan	„
46.	„ Fazdar Rajvar	„	100.	„ Ram Bilas Ahir	„
47.	„ Kedar Rajvar	„	101.	„ Basudeo Pandit	„
48.	„ Raghunath Rajvar	„	102.	„ Lakhan Suru	„
49.	„ Kharpatu Harijan	M.C. Loader	103.	„ Nathey Yadav	M.C.L.
50.	„ Shamraj Rajvar	„	104.	„ Ram Ratan Singh	„
51.	„ Ramsurat Kewat	„	105.	„ Chano Bhuiya	„
52.	„ Rambrich Kewat	„	106.	„ Lakhdeo Bhuya	„
53.	„ Ranian Pasi	„	107.	„ Bishu Joswara	„
54.	„ Ramlal Pasi	„	108.	„ Balikaran Joswara	Trammer
55.	„ Ramdular Joswara	E. Carrier	109.	„ Ram Bhajan Gupta	M.C.
56.	„ Bineswar Bhuiya	„	110.	„ (a) Ram Sakal Rajvar	Loader
57.	„ Shewnath Ahir	Line Mazdoor	111.	„ Ramswatar Garena	„
58.	„ Ramlochan Joswara	Trammer	112.	„ Birsahan Mahato	W./L.
59.	„ Kisun Bhuiya	„	113.	„ Birju Joswara	„
60.	„ Ramdulal Pasi	M.C.	114.	„ Chandra Das Bhuiya	„
61.	„ Swarath Josowara	Line Maz.	115.	„ Kishun Bhuiya	„
62.	„ Ramkaran Josowara	C.C.M. Maz.	116.	„ Mutur Sp.	„
63.	„ Jiut Kewat	„	117.	„ Indradeo Koiri	„
64.	„ Mithu Joswara	„	118.	„ Janki Rajvar	„
65.	„ Ram Chij Bhor	M.C.L.	119.	„ Ramdhu Rajvar	„
66.	„ Sheck Niyamt	C.C.M. Maz.	120.	„ Ramprasad Koiri	„
67.	„ Baijnath Sheo	„	121.	„ Firtu Joswara	Trammer
68.	„ Hari Kisan Dusad	„	122.	„ Baburam Rajvar	W/L
			123.	„ Paltan Bhuiya	M.C.
			124.	„ Dhani Loadh	„
			125.	„ Ram Peari Bhur	M.C.L.
			126.	„ Brindeo Ahir	„
			127.	„ Bijuli Nunia	„
			128.	„ Muktar Mia	„
			129.	„ Jhari Rajra	„
			130.	„ Bansraj Rajwara	Dresser-cum-Driller

Name	Designation	Name	Designation
131. Sh. Ramdeo Das	M.C.	197. Sh. Jhirkut Bhar	M.C.L.
132. „ Gagadhar Seha	M.C.C.	198. „ Kali Show	„
133. „ Jaibahadur Shaw	„	199. „ Shampuram Bhar	„
134. „ Rajju Pandit	„	200. „ Shiopujan Bhar	„
135. „ Ramdhari	„	201. „ Bhudhar Dusad	„
136. „ Emes Mia	„	202. „ Tersu Jaswar	Dresser-cum-driller
137. „ Ramji Kewat	„	203. „ Kamla Prasad Singh	„
138. „ Ram Kewal Bhar	„	204. „ Sackachan Gope	Prop Maz.
139. „ Karu Das	„	205. „ Sudhu Mia	Pick Maz.
140. „ Kanchan Jeswara	Trammer	206. „ Antu Gore	M.C.L.
141. „ Sukur Jaswara	W.L.	207. „ Ram Saran Bhar	„
142. „ Suresh Rajwara	„	208. „ Salat Jaswara	„
143. „ Shedhari Jaswara	„	209. „ Saudagar Jaswara	C.L. Maz.
144. „ Mishri Kumhar	„	210. „ Sitaram Ahir	L. Maz.
145. „ Dhukhi Rajwara	„	211. „ Rajbihari Yadav	M.C.C.
146. „ Sripati Saithawer	M.C.	212. „ Hirju Harijan	„
147. „ Jupan Das	Trammer	213. „ Dukbran Kewat	M.C.C.
148. „ Ram Chandra Ja	„	214. „ Sambhu Kewat	„
149. „ Situ Joswara	„	215. „ Santu Jaswara	„
150. „ Hariram Jeswara	Exp. Carrier	216. „ Lotan Jaswara	„
151. „ Rambilas Kewat	M.C.L.	217. „ Jagdeo Harijan	„
152. „ Lecjan Reyr	„	218. „ Chaudhuri Harijan	„
153. „ Ram Pati Rajvar	„	219. „ Shiweband Rajbhar	W/C
154. „ Mulchand Ja	W.L.	220. „ Probhu Harijan	M.C.
155. „ Sitaram Koiti	Trammer	221. „ Ramdhani Harijan	„
156. „ Sriram Kewat (2)	M.C.	222. „ Biswram Rajbhar	„
157. „ Ramdular Rajvar	„	223. „ Deo Naryan Bhar	„
158. „ Moti Rajwara	„	224. „ Bhulai Harijan	„
159. „ Chedi Shaw	„	225. „ Sajjan Harijan	„
160. „ Bhole Harijan	„	226. „ Lagan Rajbhar	„
161. „ Ram Peary Joswara	„	227. „ Kumar Harijan	„
162. „ Sinratan Leath	„	228. „ Ram Nareesh Harijan	„
163. „ Beni Kanu	„	229. „ Chandrika Kurmi	„
164. „ Badri Kamkar	„	230. „ Budhu Mia	„
164. „ Dhani Bhar	„	231. „ Barsati Mia	„
166. „ Munilal Bhar	M.C.	232. „ Ram Ratan Shaw	„
167. „ Ramdeo Bhuiya	„	233. „ Mithai Lal Rajbhar	W/Loader
168. „ Siomani Bhar	„	234. „ Rami Ahir	L. Maz.
169. „ Joge Pasi	M.C.L.	235. „ Pati Ram Jaswara	Ex. Carr.
170. „ Ram Narayan Kurmi	„	236. „ Pujan Harijan	M.C.L.
171. „ Sudho Rajbhar (1)	„	237. „ Dilip Gope	W.L.
172. „ Rajbali Bhir	„	238. „ Gahani Rajbar	„
173. „ Shiwbachan Nunia	„	239. „ Chuli Rajbhar	„
174. „ Sarabjit Chauhan	„	240. „ Jhanjhu Rajbhar	„
175. „ Sriken Ram	C.C.M. Driver	241. „ Dukhram Rajbhar	„
176. „ Biswanath Jeswara	C.Maz.	242. „ Ramdhani Rajbhar	Trammer
177. „ Tapaswar Singh	C.C.M. Maz.	243. „ Lakhani Rajbhar	W/L
178. „ Ramdeo Jaswara	„	244. „ Jhaman Dusad	M.C.C.
179. „ Nanlal Jaswara	M.C.L.	245. „ Jagru Dusad	„
180. „ Ful Chand Jaswara	„	246. „ Karam Bhuiya	„
181. „ Ramsumar Pasi	„	247. „ Sirju Jaswara	„
182. „ Deo Nandan Jaswara	L. Maz.	248. „ Brindar Bhar	„
183. „ Hardeo Jaswara	M.C.L.	249. „ Bechan Jaswara	M.C.C.L.
184. „ Ram Brich Rajbhar	„	250. „ Ram Acharaj Kumhar	M.C.L.
185. „ Ram Kumar Rajbhar	„	251. „ Baliraj Jaswara	„
186. „ Deodhari Pasi	„	252. „ Sautan Rajwara	„
187. „ Ram Brich Harijan	„	253. „ Peary Rajvar	W/L
188. „ Santu Kahar	„	254. „ Sita Rajbhar	„
189. „ Dhanu Ahir	C.C.M. Maz	255. „ Lalu Rajbhar	„
190. „ Baguai Bhuia	„	256. „ Ramu Gore	„
191. „ B. Kharpatia Rajbhar	M.C.L.	257. „ Fateh Mohd. Mia	„
192. „ Ram Kishun Harijan	„	258. „ Hadish Mia	„
193. „ Monbhodan Singh	„	259. „ Jibril Mia	„
194. „ Sukhram Pasi	„	260. „ Hussain Mia	„
195. „ Munilal Kewat	„		
196. „ Bindeswari Yadav	„		

Name	Designation
261. Sh. Bhagelu Pasi	W/L
262. „ Sunar Mustar	„
263. „ Bacha Rai	„
264. „ Hanif Mia	„
265. „ Laujari Das	„
266. „ Jiut Kewat II	„
267. „ Raghunath Kori	Trammer
268. „ Reltu Harijan	M.C.L.
269. „ Biswanath Jaswara II	L.M.
270. „ Munesar Das	M.C.L.
271. „ Fauzdar Harijan	„
272. „ Mukham Jaswara	„
273. „ Bhikhu Harijan	Loader
274. „ Rambahadur	„
275. „ Dasrath Rajbhar	M.C.L.
276. „ Lalta Rajbhar	M.C.L.
277. „ Rajdeo Rajbhar	„
278. „ Ramkisun Paswan	„
279. „ Samru Rajbhar	„
280. „ Shiobachan Rajbhar	„
281. „ Rambas Jaswara	„
282. „ Sova Ahir	Gl. Maz
283. „ Khiduram Muchi	„
284. „ Ch. Kharpatu Rajbhar	M.C.L.
285. „ Raja Ram Jaswar	Packing
286. „ Gama Rajbhar	W/L
287. „ Gulab Ch. Bhar	„
288. „ Changur Bhar	„
289. „ Ram Raj Bhar	„
290. „ Aughanu Ram Jaswara	Prop Maz.
291. „ Naru Badyaker	„
292. „ Naulu Jaswar	P. Maz.
293. „ Suresh Jaswara	Ex. Carr.
294. „ Ramdeo Jaswara	Trammer
295. „ Kadir Mia	„
296. „ Satiram Jaswara	Prop Maz.
297. „ Semra Gauri	„
298. „ Sujore Rajbhar	Trammer
299. „ Biswanath Rajbhar	„
300. „ Gobindo Kori	Line Maz.
301. „ Badal Muohi	Gl. Maz.
302. „ Srihar Bauri	„
303. „ Bhadesar Show	„
304. „ Sudhir Bhendari	H/Khal.
305. „ Ramnath Jaswara	B/M
306. „ B. Mangala Dauri	H/Kh.
307. „ Gamandi Das	H/Kh.
308. „ Banai Singh	„
309. „ Benari Kera	„
310. Smt. Lachmi Devi	Gl. Maz.
311. Sh. Banta Singh	Tindal
312. „ Badal Jaswara	Trammer
313. „ Banarsi Ahir	Chaprasai
314. „ Banshi Ahir	„
315. „ Pancham Ahir	„
316. „ Sosti Das	P/Kh.
317. „ Sagju Sewarukar	Prop Maz.
318. „ Sarju Pasi	L/Mistry
319. „ Munner Harijan	M/G/Loader
320. „ Nanku Hela	Sweeper
321. „ Sudhu Hela	„
322. Smt. Peary Devi	„
323. Sh. Ganpat Jaswara	Oil Man
324. „ Ram Giri Jawara	Trammer
325. „ Munshi Das	„
326. „ Shownath Jaswara	„

2. The North Brook Colliery of Eastern Coalfields Limited consists of two Seams viz. Bogra seam and Satgram Seam. The case of the concerned workmen is that due to inundation of Satgram seam the then owner issued a notice of closure of the colliery on 23-8-1971 and to terminate the services of about 650 workmen with immediate effect. The said order of closure was challenged by the union as also the order of termination was also challenged and several discussions took place between the company and the union. During those discussions the employer had always assured the union that all the workmen including the concerned workmen would be gradually provided with employment on the re-opening of the mine.

3. It is then stated that the issue was taken up with the A.L.C.(C) Asansol and there was a conciliation proceeding and a tripartite settlement was arrived at but it was not implemented. It is however alleged that the colliery resumed its working on and from 21-5-1972 and on the re-opening of the mine the union made representation to the employers for reinstatement of 650 old workmen but they were refused employment and after prolonged discussions about 250 old workmen out of 650 were employed but the remaining 400 were kept out of employment. The management however recruited new workmen in preference to the old workmen who were kept idle.

4. The issue of employment of 400 workmen was pursued by the union and matter was taken up by the A.L.C.(C) Asansol and during conciliation proceeding it was agreed that these 400 workmen including the concerned workmen will be taken back in service. This agreement was further confirmed by the O.S.D. Personnel, C.M.A. Area III vide his letter dated 20-4-1973. In pursuance of the said agreement 74 workmen out of 400 were taken back in employment but the remaining 326 who were the concerned workmen still continued to be out of employment. In spite of demands made by the union the concerned workmen did not get any employment and the further conciliation ended in failure which resulted in the present reference. The demand of the concerned workmen is that they may be given employment with effect from 3-8-1971 with full back wages.

5. The present management has contested the claim of the concerned workmen. According to the management one Sri B. K. Roy was the owner of North Brook Colliery and he had entrusted the management of this colliery with K. Worah & Co., who were one of the biggest organisation so far as the coal is concerned prior to take over. It is alleged that the colliery was closed in the year 1970-71 and thereafter it resumed its operation sometime in the year 1972. This colliery had two Seams viz. Bogra and Satgram seams. The Satgram seam was filled up with water and no working was possible and therefore only the Bogra seam was started when the mine was taken over from 31-1-1973 and subsequently nationalised from 1-5-1973.

6. It is stated that after take over and nationalisation efforts were made to de-water the Satgram seam which was completed in the end of 1974 and the Satgram seam was also started. It is submitted that the management of Eastern Coalfields Ltd., had no paper whatsoever regarding the old workmen under the K. Worah & Co., and as there was no papers it was difficult to ascertain the old workers. It was however agreed during discussion that if for the re-opening of the closed seam any further employment is required then the cases of retrenched workers of the North Brook Colliery will be considered. Accordingly with the re-opening of the Satgram seam requirement of more persons were felt and therefore a number of surplus persons were transferred from New Satgram Colliery to North Brook Colliery. This was objected to by the union and negotiation started and 75 workers were taken in.

7. It is then alleged that in the year 1977-78 the Bogra seam workings had to be closed as it had exhausted and the man power working there were shifted to Satgram seam and by April, 1980 it was found that the Satgram seam itself had very little scope for working and it was going to be exhausted. Some of the workers were shifted to other collieries which were under the North Brook Colliery. It is therefore submitted that in the above circumstances it was impossible to accommodate all or any of the concerned persons. The main defence of the management is that as the Bogra seam had exhausted and as the Satgram seam was

also going to be closed very soon hence it is not feasible for them to give employment to any of the concerned workman.

8. The management in their written statement has also challenged the identity of the concerned workmen but this was not pressed during the time of hearing of the above reference and it is admitted that the concerned persons were workmen of the North Brook Colliery.

9. The point for consideration is as to whether the action of the management of the North Brook Colliery under the Eastern Coalfields Ltd., in refusing employment to the concerned workmen was justified, if not to what relief the concerned workmen are entitled.

10. Certain facts are admitted. It is admitted that the old North Brook Colliery consisted of two seams viz. Bogra Seam and Satgram Seam. At the time of take over only Bogra seam was under operation while the Satgram seam was full of water. After nationalisation the Satgram seam was de-watered and production started in both the seams. As stated earlier the main defence of the management is that as the Bogra seam exhausted and as the Satgram seam is also going to be exhausted very soon it is not feasible for them to give employment to the concerned workmen.

11. It may be stated at this very stage that though the reference is with respect to 326 workmen but during the hearing of the reference the union filed a petition on 16-2-1982 stating that out of 326 persons only 280 workmen are available and the remaining are either dead or untraceable and so the management may be directed to give employment to these 280 workmen whose names are mentioned in the petition. Thus out of the concerned workmen named in the reference, only 280 are now in the picture and the decision is to be given in respect of the 280 workmen only.

12. The union has admitted that the Bogra seam has been exhausted but according to them there is still scope for production in Satgram seam. It is further the contention of the union that the management has got about 17 collieries in their possession and they can easily give employment to these 280 workmen in different collieries as they are old workers and further as per agreement arrived at between the management and the union the management had agreed to give employment to them U/S 25H of the Industrial Disputes Act, 1947.

13. The management has filed the underground working plan of Satgram and Bogra seams which are marked Exts. M-2 & M-3. As stated earlier the management has not challenged the identity of the concerned workmen and admittedly they were the workmen of the North Brook Colliery prior to its closure. Ext. W-1 is the seniority list of the workmen and Exts. W-1/1 to W-1/8 are the lists of categories of the workmen in the North Brook Colliery. They included the names of the concerned workmen. The said list is not disputed. Ext. M-4 is the report of Sri K. P. Singh the then Manager of North Brook Colliery about Satgram seam. It is dated 24-6-1972. Sri K. P. Singh the then Manager has been examined as MW-2. He has stated that when he took over charge only Bogra seam could be started as Satgram seam was filled up by water. He gave this report with regard to Satgram seam. He has further stated that the Bogra seam is exhausted while the Satgram seam is going to be exhausted very soon. Ext. M-5 is a settlement dated 4-4-1980 showing that certain workmen of Satgram seam were going to be transferred very soon as much work was not left in that seam and Ext. M-6 is a letter from Director of Mines dated 13-4-1981 showing that the prayer of the authority to develop Satgram seam was rejected. According to the union however the permission was not given to develop the Satgram seam as the plan submitted by the authority was defective. Admittedly the management again sent another letter giving details for development of the Satgram seam which according to the management was also rejected by the Directorate-General of Mines Safety but the order of rejection has not been filed. Be whatever it may, it is admitted that the Satgram seam has not been closed as yet.

14. From the documents filed on behalf of the union it will appear that the union was making representations for re-employment of the concerned workmen from the very beginning. There was a settlement in the year 1971 (Ext.

W-2) which was also not implemented by the then management. The union wrote letter Ext. W-3 dated 7-4-1972, letter Ext. W-4 dated 22-6-1972 to the A.L.C., letter Ext. W-5 dated 28-10-1972 making the representation for re-employment of the concerned workmen. Ext. W-6 is another letter dated 7-2-1973 by the union to the Custodian General for the appointment of old workers and it was mentioned that new hands were being taken against rules. A copy of the said letter was also sent to the A.L.C., (Ext. W-7). Ext. W-8 is another letter to the Custodian, C.M.A. dated 23-2-1973 in which also it was alleged that new hands were being appointed.

15. Finally it would appear that an agreement was arrived at and it was agreed that the concerned workmen will be taken in employment as and when occasion arises.

16. The most important letter in this regard is the letter Ext. W-11 dated 21-4-73 from O.S.D. Personnel, Area No. III of the C.M.A. to the Regional Labour Commissioner where the union was pressing for the employment of the concerned workmen. This letter reads as follows :—

"Further to the discussion in your office on 17th April, 1973 on the above subject, a bipartite discussion was held in my office on 21st April 1973, when Sri R. Banerjee, Secretary, North Brook Colliery Mazdoor Union represented the case of retrenched workmen of the colliery.

It was explained to Sri R. Banerjee that whosoever was employed on the date of take over of the colliery by CMA has come on our rolls and it will not be possible for us to change these persons.

For future employment, however, Sec. 25(h) of the I.D. Act read with Rule 78 of I.D. Rules will be strictly followed. The seniority list submitted by the then Management under Rule 77 of I.D. Rules at the time of retrenchment has been obtained from your office and notices for future employment will be issued as per the list.

The dispute has been mutually resolved by us."

Thus from a perusal of this letter it will appear that as per bipartite discussion it was agreed by the management that the concerned workmen will be given employment U/S 25H of the Industrial Disputes Act which will be followed strictly and it was also mentioned that the seniority list submitted by the then management at the time of retrenchment has been obtained by the C.M.A. and notices for future employment would be issued as per list. It has also mentioned that the dispute has been mutually resolved by the C.M.A. Thus this letter is conclusive of the fact that the management agreed to give employment to the concerned workmen as per their seniority and notices of future employment will be issued to them. But in spite of the said letter no employment was given to the concerned workmen till now.

17. This agreement was arrived at in the year 1973. The Bogra seam exhausted in the year 1977-78 while the Satgram seam has not exhausted till now, but it was going to be exhausted. It cannot be denied that a particular colliery will exhaust on some date or other but till it is exhausted the old employees were to get employment as per agreement.

18. MW-1 is Sri L. N. Mukherjee, the present Manager of North Brook Colliery. He has admitted in para 6 of his chief that the strength of Satgram seam was 800 workmen when it was in full production though now the present strength is only 350. Thus according to his own admission when Satgram seam was started 800 workmen were working in it. Admittedly only about 250 persons out of the old employees had been taken in. The working of Satgram seam started after nationalisation which took place in May, 1973. The agreement had been arrived at in April, 1973 (Ext. W-11). In that case as per agreement the concerned workmen should have been taken in employment by the management of Satgram or Bogra Colliery. There is nothing to show as to from where 800 workmen were employed there. This clearly means that new recruits were appointed ignoring the claim of the concerned workmen who were entitled to be given employment in view of the aforesaid agreement as also U/S 25H of the Industrial Disputes Act. This witness was specifically asked in para 15 of his cross-examination that in 1974 several workmen from other collieries were transferred to North Brook Colliery and several new recruits were made after nationalisation but he has not denied the said fact and

he has pleaded ignorance about it. The Form 'B' register has not been filed to show that the 800 persons working in Satgram seam were not the new recruits and only about 650 workmen were working under the North Brook Colliery prior to nationalisation and closure of the colliery. How could then the management employed 800 workers when Satgram seam was started. It clearly means that new recruits were taken by the management ignoring the claim of the concerned workmen.

19. It is also admitted by the MFWs that several persons were brought to North Brook Colliery by transfer from other collieries. This transfer should not have been done ignoring the claim of the concerned workmen. MW-3 is Sri S. N. Verma Agent of Jemehari and Pure Searsol Colliery. He was Manager of Jemehari Colliery from July, 1977 to May, 1979. The present North Brook Colliery is an unit of Jemehari Colliery and he was the Manager of the entire group. It is admitted by him also in para 10 of his cross-examination that in North Brook Colliery in the year 1977 there were about 800 workers. This clearly indicate that though the management had opportunity to employ the concerned workmen but their claim was ignored and new recruits were taken. This witness has also pleaded ignorance regarding the taking of new recruits at the time when he mine was started.

20. The union called for several documents from the management to prove that new recruits were taken in by the management ignoring the claim of the concerned workmen. It was within the knowledge of the management as to from where 800 workmen were employed but those documents have not been filed. It is also admitted that about 60 persons were brought on transfer and this naturally affect the case of the concerned workmen.

21. Thus from a consideration of the above evidence and documents it is clear that inspite of the agreement by the management they refused employment to the old workers of the North Brook Colliery.

22. The union has also filed other documents Exts. W-12 to W-16 to show that they were making claim for the re-employment till the present reference was made. From the evidence on record it is clearly shown that the management was under an obligation to give employment to the old employees of the North Brook Colliery which they purposely avoided to give inspite of the agreement and in the circumstances it must be held that the action of the management in refusing employment to the 280 workmen concerned (according to the last petition of the union) is unjustified.

23. The question is as to what relief these 280 workmen are entitled. It is admitted that there are 17 collieries in one Area which includes the two seams of North Brook Colliery. It was entirely the fault of the management in not giving employment to these 280 workmen in the North Brook Colliery where 800 persons were employed. If the mine has exhausted or is going to be exhausted it is the obligation of the management to give employment to these 280 workmen in some other collieries of its unit. These 280 concerned workmen are, therefore, entitled to be employed in any of the 17 collieries of the management and the management must give them employment on full wages within a month from the date of notification of the award. The list of 280 concerned workmen as supplied by the union under their petition dated 16-2-1982 is attached with the award and will form part of the award.

24. The award is given accordingly.

Enc : List of workmen

J. N. SINGH, Presiding Officer

LIST OF WORKMEN

Sl. No.	Name	Designation
1.	Shri Chandradip Rout	B/Fireman
2.	„ Satiram Jaswara	Prop Maz.
3.	„ Sugrim Jasowara	C.C. M. Maz.
4.	„ Biswanath Jasowara No.2	Line Maz.
5.	„ Sirtu Jasowara	Trammer
6.	„ Ramdeo Jasowara	„
7.	„ Paltu Harijan	M. C. Leader
8.	„ Munnar Harijan	„
9.	„ Sujan Harijan	„
10.	„ Gulab Ch. Bhar	„
11.	„ Karu Das	„
12.	„ Guiram Muchi	Trammer
13.	„ Indrade Bhuiya	„
14.	„ Munshi Das	„
15.	„ Biswanath Rajbhar	„
16.	„ Nageswar Singh	„
17.	„ Sudhu Mia	Picking Maz.
18.	„ Ramdeo Das	M. C. Loader
19.	„ Dhanik Dusad	„
20.	„ 1 Sudhu Rajbhar	„
21.	„ 2 Sudhu Rajbhar	„
22.	„ Paltan Harijan	„
23.	„ Pujan Harijan	„
24.	„ Lakhan Suri	„
25.	„ Hari Kushun Dusad	„
26.	„ Fulchand Jasewara	„
27.	„ Mustafa Mia	„
28.	„ Ghamandi Das	Haulage Kh.
29.	„ Sasti Das	Pump Kh.
30.	„ B. Mongla Bouri	Haulage Kh.
31.	„ Kanai Singh	Haulage Kh.
32.	„ Srikishun Ram	C. C. M. Drive.
33.	„ Sitaram Ahir	Line Maz.
34.	„ Ambika Kumhar	Trammer
35.	„ Jogeswar Muchi	„
36.	„ Santram Bouri	„
37.	„ Ramdhani Rajbhar	„
38.	„ Surjan Nunia	„
39.	„ Brij Narayan Dusad	Explosive Carrier
40.	„ Nanhku Hela	Sweeper
41.	„ Ramdhu Rajbhar	M. C. Loader
42.	„ Makharu Bin	„
43.	„ Tanik Bin	„
44.	„ Lakhan Bin	„
45.	„ Rajihari Yadav	„
46.	„ Gunal Rajbhar	„
47.	„ Bindheswarl Yadav	„
48.	„ Muneswar Das	„
49.	„ Ramdular Rajbhar	„
50.	„ Lochan Rajbhar	„
51.	„ Salat Jasowara	„
52.	„ Kharpathu Harijan	„
53.	„ Dhanal Rajbhar	„
54.	„ Ramchij Bhar	„
55.	„ (2) Ram Jatan Kewat	„
56.	„ (2) Sriram Kewat	„
57.	„ Brij Narayan Kewat	„
58.	„ Jiut Kewat	C. C. M. Maz.
59.	„ Badri Rajbhar	Prop Maz.
60.	„ Patiram Jasowara	Explosive Carrier
61.	„ Hariram Jasowara	„
62.	„ Suresh Jaswara	„

Sl. No.	Name	Designation	Sl. No.	Name	Designation
63.	Sh. Ramai Ahir	Line Maz.	128.	Sh. Budhiram Jasowara	M. C. Loader
64.	„ Searath Jasowara	„	129.	„ Barsati Mia	„
65.	„ Gampat Jasowara	General Maz.	130.	„ Husslan Mia	„
66.	„ Angharu Jasowara	Prop Maz.	131.	„ Bhikhu Harijan	„
67.	„ Sarju Swarnakar	Porp. Maz.	132.	„ Dasharath Rajbhar	„
68.	„ Govinda Kora	Line Maz.	133.	„ Rajdeo Rajbhar	„
69.	„ Mohabir Bhuiya	Trammer	134.	„ Mukhram Jasowara	M. C. Loader
70.	„ Lalhdeo Bhuiya	„	135.	„ Rambas Jasowara	„
71.	„ Chandar Jasowara	„	136.	„ Lakhan Rajbhar	W/Loader
72.	„ Sital Jasowara	„	137.	„ Peary Rajbhar	„
73.	„ Kishun Bhuiya	„	138.	„ Sita Rajbhar	„
74.	„ Shankar Jasowara	„	139.	„ Janjhu Rajbhar	„
75.	„ Shyama Rajbhar	„	140.	„ Dukhram Rajbhar	„
76.	„ Benarasi Ahir	Chaprasi	141.	„ Kedar Rajbhar	„
77.	„ Raghunath Rajbhar	W/Loader	142.	„ Sancham Rajbhar	„
78.	„ Chuli Rajbhar	„	143.	„ Sangram Rajbhar	„
79.	„ Dukhi Rajbhar	„	144.	„ Feuzdar Rajbhar	„
80.	„ Lagan Rajbhar	„	145.	„ Shiukochan Gope	Prop. Maz.
81.	„ Moti Rajbhar	M. C. Loader	146.	„ Birai Kora	General Maz.
82.	„ Ch. Khapatu Rajbhar	„	147.	„ Banta Singh	Tyndal
83.	„ Loutan Jasowara	„	148.	Smt. Laxmi Debi	General Maz.
84.	„ Santu Jasowara	„	149.	Smt. Peasi Debi	„
85.	„ Hardeo Jasowara	„	150.	Shri Sri Sarju Pashi	Line Mistry
86.	„ Basdeo Pandit	„	151.	„ Sadhu Hela	Sweeper
87.	„ Ram Naresh Harijan	„	152.	„ Basant Singh	Tyndal
88.	„ Bhulai Harijan	„	153.	„ Basri Jasowara	Trammer
89.	„ Gama Rajbhar	„	154.	„ Sijor Rajbhar	„
90.	„ Ramnath Rajbhar	M. C. Loader	155.	„ Jagdeo Bhuiya	„
91.	„ Lautteo Kumar	„	156.	„ I Shiunath Jasowara	„
92.	„ Tilakdhari Rajbhar	„	157.	„ Narayan Gope	„
93.	„ Baijnath Rajbhar	„	158.	„ Dile Pandit	„
94.	„ Pamchu Rajbhar	„	159.	„ Mongal Bhuiya	„
95.	„ Pancham Rajbhar	„	160.	„ Chane Bhuiya	„
96.	„ Ch. Baijnath Rajbhar	M. C. Loader	161.	„ Baijnath Jasowara	„
97.	„ 3 No. Jiut Jasowara	Prop Mistry	162.	„ Kapildeo Chowdhury	„
98.	„ Banshi Ahir	Chaprasi	163.	„ Mithu Jasowara	„
99.	„ Sovi Ahir	General Maz.	164.	„ Birju Jasowara	„
100.	„ Pancham Ahir	Chaprasi	165.	„ Mithu Jasowara	C. C. M. Maz.
101.	„ Ram Karan Jasowara	C. C. M. Maz.	166.	„ Ramlal Jasowara	„
102.	„ Biswanath Jasowara	„	167.	„ Ramdular Jasowara	Explosive Carrier
103.	„ Firtu Jasowara	Trammer	168.	„ Shyamraj Rajbhar	M. C. Loader
104.	„ Nandlal Jasowara	M. C. Loader	169.	„ Baijnath Shaw	„
105.	„ Indradeo Koiri	„	170.	„ Ramker Rajbhar	„
106.	„ Bent Kanu	„	171.	„ Jaimangal Rajbhar	„
107.	„ Munilal Rajbhar	„	172.	„ Ramkewal Bin	„
108.	„ Ram Kuwar Rajbhar	„	173.	„ Harimuni Bhar	„
109.	„ Ram Kishun Harijan	„	174.	„ Binswar Bhuiya	„
110.	„ Antu Gore	„	175.	„ Indradeo Ahir	„
111.	„ Chhangur Bhar	„	176.	„ Jaigovind Harijan	„
112.	„ Bijuli Nunia	„	177.	„ Ram Bilash Ahir	„
113.	„ B. Kharpatu Rajbhar	„	178.	„ Ram Ratan Bin	„
114.	„ Nathu Yadav	„	179.	„ Chandradeo Harijan	„
115.	„ Bhola Harijan	„	180.	„ Janki Rajbhar	„
116.	„ Chhedi Shaw	„	181.	„ Dhani Lodhi	„
117.	„ Moti Harijan	„	182.	„ Baburam Rajbhar	W/Loader
118.	„ Sitaram Pandit	„	183.	„ Bramdeo Ahir	„
119.	„ Gajadhar Shaw	„	184.	„ Chandrika Kurmi	„
120.	„ Jangbahadur Shaw	„	185.	„ Dulp Gope	„
121.	„ Ram Peary Rajbhar	„	186.	„ Sukar Rajbhar	„
122.	„ Rajbali Bhar	„	187.	„ Suresh Rajbhar	„
123.	„ Seobachan Numia	„	188.	„ Dhanu Ahir	C. C. M. Maz.
124.	„ Sarayjit Chouhan	„	189.	„ Ramjee Kewat	„
125.	„ Jhirkut Bhar	„	190.	„ Soudagar Jasowara	„
126.	„ Kali Shaw	„	191.	„ Sautan Jasowara	Trammer
127.	„ Budhu Mia	„	192.	„ Balikaran Jasowara	„

Sl. No.	Name	Designation	Sl. No.	Name	Designation
193.	Shri Ramlochan Jasowara	Trammer	258.	Shri Sarju Mahato	M. C. Loader
194.	„ Naru Badyakar	Prop. Maz.	259.	„ Ramdhani Pashi	„
195.	„ Sudhir Bhandari	Haulage Kh.	260.	„ Ram Naresh Bhar	„
196.	„ Bhadeswar Shaw	Lnc Maz.	261.	„ Faguni Bhar	„
197.	„ Shiunath Ahir	„	262.	„ Ramacharaj Kumhar	„
198.	„ Badal Muchi	General Maz.	263.	„ Sambhu Kewat	„
199.	„ Sridhar Bouri	„	264.	„ Dukhram Kewat	„
200.	„ Samaru Gorai	„	265.	„ Ram Charan Rajbhar	„
201.	„ Ram Sakal Rajbhar	W/Loader	266.	„ Sri Rajbhar	W/Loader
202.	„ Bissahai Mahate	„	267.	„ Gahanu Rajbhar	„
203.	„ Seodhari Jasowara	„	268.	„ Ram Surat Singh	Plt Munshi
204.	„ Mishri Kohar	„	269.	„ Ram Ekbal Mishra	Prep Mistry
205.	„ Dukhu Kumhar	„	270.	„ Tersu Jasowara	Dresser
206.	„ Baldeo Pandit	M. C. Loader	271.	„ Haulu Jasowara	Picking Maz.
207.	„ Lalta Rajbhar	„	272.	„ Ram Sabad Rajbhar	W/Loader
208.	„ Sanpuran Rajbhar	„	273.	„ (2) Soonath Jasowara	Trammer
209.	„ Juga Rajbhar	„	274.	„ Bishu Jasowara	„
210.	„ Fatehmohammad Mia	„	275.	„ Ram Chandar Yadav	„
211.	„ Hadish Mia	„	276.	„ Raghunath Koiri	„
212.	„ Jainul Mia	„	277.	„ Tilku Jasowara	„
213.	„ Bacha Rai	„	278.	„ Naresh Powri	M. C. Loader
214.	„ Hanif Mia	„	279.	„ Arathmuni Rai	„
215.	„ Fouzdar Harijan	„	280.	„ Rambrich Kewat	„
216.	„ Ram Bahadur	„			
217.	„ Karan Bhuiya	„			
218.	„ Somaru Rajbhar	„			
219.	„ Seobachs Rajbharm	„			
220.	„ Motichand Kanu	„			
221.	„ Mukter Mia	„			
222.	„ Unish Mia	„			
223.	„ Jhamman Dusad	„			
224.	„ Jhagru Desut	„			
225.	„ Bhuidhar Dusad	„			
226.	„ Bachan Jasowara	„			
227.	„ Ballram Jaswara	Trammer			
228.	„ I. Ramgati Kewat	M. C. Loader			
229.	„ Rampati Rajbhar	„			
230.	„ Kanchan Jasowara	„			
231.	„ Ramgiri Jasowara	Trammer			
232.	„ Ramdiwar Jasowara	C. C. M. Maz.			
233.	„ Mulchand Jasowara	M. C. Loader			
234.	„ Badal Rajbhar	„			
235.	„ Jhuri Rajbhar	M. C. Loader			
236.	„ Santu Kahar	„			
237.	„ Seopujan Bhar	„			
238.	„ Ram Saran Bhar	„			
239.	„ Ram Prasad Koiri	„			
240.	„ Ram Bhajan Gupta	„			
241.	„ Srikishun Bhar	„			
242.	„ Ch. Bhuneswar Bin	„			
243.	„ Lalu Yadav	„			
244.	„ Sirju Jasowara	„			
245.	„ Somaru Benla	„			
246.	„ Tulshi Bhuiya	W/Loader			
247.	„ Smt. Dhanawa Bhuiya	„			
248.	„ Sri Seochand Rajbhar	„			
249.	„ Lalu Rajbhar	„			
250.	„ Jitu Rajbhar	„			
251.	„ Seenath Rajbhar	„			
252.	„ Shyamlal Jasowara	Trammer			
253.	„ Ram Surat Kewat	M. C. Loader			
254.	„ Gumai Jasowara	„			
255.	„ Ram Naresh Kewat	„			
256.	„ I. Ram Jatan Kewat	„			
257.	„ Jainath Kewat	„			

[No. L-19012(6)/80-D. IV(B)]
S. S. MEHTA, Desk Officer

आदेश

नई दिल्ली, 25 फरवरी, 1982

कां.भां० 1456--केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय स्टेट बैंक के प्रबन्धन में सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है -

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है :

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० सुन्दरमनम डेनियल होंगे, जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्दिष्ट करती है ।

अनुसूची

“यथा भारतीय स्टेट बैंक के प्रबन्धन की उनकी कुलूर स्थित शाखा के सम्बन्ध में श्रीमती जी० पुष्पम, प्रशासनिक शास्त्रिका को 1-9-71 से 20-6-80 तक की पूर्ण मजदूरी न देने और उनके कार्य समय की तारीख 21-6-80 से 34 घंटे से 29 घंटे में परिवर्तित करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबन्धित कर्मकार किम अनुत्तरी का हकदार है ।

[सं० एन 12012(190) 81-डी०-II-ए०]

ORDER

New Delhi, the 25th February, 1982

S.O. 1456.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of State Bank of India and their workman in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by Section 7A and clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Sundarshanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of State Bank of India in relation to their Coonoor Br in denying full wages to Smt V Pusham, Part-time Sweeper with effect from 1-9-71 to 20-6-80 and in changing her working hours from 34 hours to 29 hours with effect 21-6-80 is justified. If not, to what relief is the workman concerned entitled?"

[No L-12012(190)/81-D II (A)]

आदेश

नई दिल्ली, 27 फरवरी, 1982

कां०आ० 1457 — केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में स्टेट बैंक आफ ट्रान्स्कोर के प्रबन्धन से सम्बद्ध एक औद्योगिक विवाद नियोजको और उनके कर्मकारों के बीच विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करती आछनीय समझती है,

अतः, केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री मुन्दरसनम डेनियल होंगे, जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या स्टेट बैंक आफ ट्रान्स्कोर के प्रबन्धन द्वारा श्री पी०वी० ससीधरन पिल्ले को 10-8-80 से बैंक में संघोत्पन्न करना न्यायोचित है और यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है?"

सं० एन 12012/174/81-डी- II ए०]

ORDER

New Delhi, the 27th February, 1982

S.O. 1457.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of State Bank of Travancore and their workmen in respect of the matter specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-Section (1) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constituted an Industrial Tribunal of which Shri T Sundarshapam Daniel shall be the Presiding Officer, with headquarters at Madras, and refers the said dispute for adjudication to the said Tribunal

SCHEDULE

"Whether the management of States Bank of Travancore was justified in discharging Shri P V Sasidharan Pillai from the services of the Bank with effect from 10-3-80 and if not to what relief is the workman entitled?"

[No I 12012/174/81-D II(A)]

आदेश

नई दिल्ली 3 मार्च 1982

कां०आ० 1458 — केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय स्टेट बैंक के प्रबन्धन से सम्बद्ध एक औद्योगिक विवाद नियोजको और उनके कर्मकारों के बीच विद्यमान है,

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करती आछनीय समझती है;

अतः केन्द्रीय सरकार औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 3-क और धारा 10 की उप-धारा (1) के खड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री बी० प्रसाद राव होंगे जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या भारतीय स्टेट बैंक के प्रबन्धन द्वारा इनको एचए स्विचर शाखा के सम्बन्ध में श्री शोब मस्तान साब की जुलाई 1980 में सेवाएं समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है?"

[सं० एन-12012/18/81-डी-II-ए०]

ORDER

New Delhi, the 3rd March, 1982

S.O. 1458. Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of State Bank of India and their workman in respect of the matter specified in the Scheduled hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now Therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B Prasada Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal

SCHEDULE

"Whether the action of the management of State Bank of India in relation to its Ajur Branch in terminating the services of Sri Shaik Masthan Sab in July, 1980 is justified? If not, to what relief is the workman entitled?"

[No I 12012 (18)/81-D II (A)]

New Delhi, the 29th March, 1982

S.O. 1459.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of New Bank of India and their workman, which was received by the Central Government on the 24th March, 1982

BEFORE JUSTICE SHRI S R VIAS (RET.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-1 ABOUT COURT, JABALPUR (M P)

Case No. CGTI/LC(R) (14)/1981

PARTIES

Employers in relation to the management of New Bank of India Limited, Jabalpur and their workman, Shri T S Garg Clerk represented through the

M. P. Bank Employees Association C/o. United Commercial Bank Wright Town, Jabalpur (M.P.).

APPEARANCES :

For Union : Shri P. N. Sharma President of the Union.

For Bank : Shri Hardeo Singh, Accountant.

INDUSTRY : Bank DISTRICT : Jabalpur (M.P.).

AWARD

Dated 17th March, 1982

In exercise of the powers conferred by Clause 10(1)(d) of the Industrial Disputes Act, 1947, the Central Government in the Ministry of Labour has referred the following dispute to this Tribunal for adjudication, vide Notification No. L-12012/69/80-D. II(A) dated 1st April, 1981 :-

"Whether the action of the management of New Bank of India Limited Jabalpur in termination of the services of Shri J. S. Garg, Clerk with effect from 28-7-1979 is justified? If not to what relief is the workman concerned entitled?"

2. Briefly stated the facts giving rise to this reference are these. The services of the workman, Shri J. S. Garg a clerk in the New Bank of India, Jabalpur, were terminated by the Bank management from 28-7-1979. As there was not conciliation with regard to this dispute arising from the said termination a reference was made to this Tribunal. Both the parties filed their statements of claims and rejoinders and in the adjudication proceedings the workman examined himself. While adjudication proceedings were in progress both the parties arrived at a settlement and filed a joint application signed by the authorised representative of the Bank and the workman's Union representative. According to the settlement, the workman is to be appointed in the clerical cadre as a full time permanent confirmed employee on the starting pay of the scale applicable to the cadre in terms of Banks Awards/Bipartite Settlements and the Rules of the Bank also. For the period from the date of the termination of the service and the date of appointment the workman has agreed to forego all benefits/wages/payments etc. for the period of temporary service rendered by him.

3. The terms and conditions of the settlement were read over to both the parties and they expressed that they have voluntarily agreed to settle the dispute on the terms and conditions set forth in 'the settlement'. In view of this settlement the parties do not wish to prosecute the reference further.

4. I have gone through the terms and conditions of the settlement between the parties and they appear to be fair and have been arrived at with a view to maintain industrial harmony between the employer and the employee.

I, therefore, find no reason as to why an award should not be passed in terms of the mutually agreed settlement between the parties. Accordingly the following award is passed on the mutually agreed settlement between the parties :-

1. Shri J. S. Garg will be appointed in the clerical cadre as full time permanent confirmed employee on the starting of the pay scale applicable to the cadre in terms of Banks Awards/Bipartite Settlements. He shall be issued appointment letter within 10 days from the date of this settlement. He will be posted at Jabalpur branch of the Bank and his service conditions shall be governed as per Bank Award/Bipartite Settlements and rules of the Bank.
2. Shri J. S. Garg shall not be entitled to any benefit/wages/payments etc. whatsoever for the past temporary services rendered by him.
3. This settlement is in full and final settlement of all claims of Shri J. S. Garg against the Bank.

As agreed to between the parties there will be no order as to costs. The settlement shall form part of the award as annexure A.

Sd/-

S. R. VYAS, Presiding Officer

Dated.—17th March, 1982

1500 GI/81—7

ANNEXURE 'A'

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF NEW BANK OF INDIA AND MADHYA PRADESH BANK EMPLOYERS ASSOCIATION ON 3-4-1982

Representing Employer.—Shri Hardev Singh Dalip Accountant Industrial relation department head officer New Bank of India Marina Hotel Building G-59, Connaught Circus, New Delhi-110001.

Representing Workman.—1. Shri P. N. Sharma, President Madhya Pradesh Bank Employees Association
2. Workman himself.

Short Recital of the case

Shri J. S. Garg stated that he had worked in the Bank as a temporary Clerk from 23-9-78 to 27-7-79 at Jabalpur branch of the Bank on temporary assignment. He has further stated that he is M. Com. and his date of birth is 3-1-1956 and he is eligible for employment in the bank on regular basis and accordingly demanded that the Bank should absorb him in its employment.

The Management representative pointed out that Shri J. S. Garg was engaged purely on temporary assignment with no right of permanent absorption in Bank's employment on regular basis. His services came to an end by efflux of time and it was not a case of retrenchment. The dispute is now pending before the Central Govt. Industrial Tribunal, Jabalpur.

After protracted discussions, the matter has been resolved on the following terms and conditions :-

Terms of Settlement

It is agreed that :-

1. Shri J. S. Garg will be appointed in the clerical cadre as full time permanent confirmed employee on the starting of the pay scale applicable to the cadre in terms of Banks Awards/Bipartite Settlements. He shall be issued appointment letter within 30 days from the date of settlement. He will be posted at Jabalpur branch of the Bank and his service conditions shall be governed as per Bank Awards/Bipartite Settlements and rules of the Bank.
2. Shri J. S. Garg shall not be entitled to any benefit/wages/payments etc. whatsoever for the past temporary services rendered by him.
3. This settlement is in full and final settlement of all claims of Shri J. S. Garg against the Bank.

Representing Workman	Workman himself	Representing Employer
(P. N. Sharma)	(J. S. Garg)	(Hardev Singh Dalip)

Witness :-

1. Sd/-
(Manager, NBI, Jabalpur)

2. Sd/-
(U. K. Khetrapal, NBI, Jabalpur)

PART OF AWARD

Sd/-

S. R. VYAS, Presiding Officer,

[No. L-12012(69)/80-D. II (A)]

N. K. VERMA, Desk Officer

नई दिल्ली, 26 मार्च 1982

कां०भा० 1460.—कन्द्रीय सरकार को यह प्रतीत होता है कि रिसर्स बालसिंह आस्टिक्स 11 और 12 प्रेमसंस इन्स्टिट्यूट इस्टेट केवस रोड,

जोगेश्वरी (पूर्व) मुम्बई 60, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35018(170)/81-पी०एफ०-2]

New Delhi, the 26th March, 1982

S.O. 1460.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Welcet Plastics, 11 and 12, Premsons Industrial Estate, Caves Road, Jogeshwari (East), Bombay-60, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35018 (170)/81-PF-II]

का०भा० 1461.—केन्द्रीय सरकार, को यह प्रतीत होता है कि मैसेस अशोका टेक्स्टाइल्स इलुरु, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(241)/81-पी०एफ०-2]

S.O. 1461.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ashoka Textiles, Eluru, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (241)/81-PF-II]

का०भा० 1462.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस पाली फाइबर इंडस्ट्रीज, बी-65, एसिस्टेड इंडस्ट्रियल इस्टेट, बालानगर, हैदराबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(242)/81-पी०एफ०-2]

S.O. 1462.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Poly Fibre Industries, B-65, Assisted Industrial Estate, Balanagar, Hyderabad, have agreed that the provisions of the Employees'

Provident Funds Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(242)/81-PF-II]

का०भा० 1463.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस हिन्दुस्तान ऑटो सर्विस, 95, पार्कलेन, सेकन्दराबाद-3, जिसके अन्तर्गत विजयवाड़ा स्थित उसकी शाखा भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं०एस-35019(243)/81-पी०एफ०-2]

S.O. 1463.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hindustan Auto Service, 95, Park Lane, Secundrabad-3, including its branch at Vijayawada, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(243)/81-PF-II]

का०भा० 1464.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस प्राइम रबर इंडस्ट्रीज, नं० 4, इंडस्ट्रियल इस्टेट, माधवरम, मद्रास-60, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(244)/81-पी०एफ०-2]

S.O. 1464.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Prime Rubber Industries, No. 4, Industrial Estate Madhavaram, Madras-60, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (244)/81-PF-II]

का०भा० 1465.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस गाजियन रबर (प्राइवेट) लिमिटेड, इंडस्ट्रियल इस्टेट, एट्टमानूर, कोट्टायम, केरल, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019 (245)/81-पी०एफ-2]

S.O. 1465.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Guardian Rubber (Private) Limited, Industrial Estate, Ettumanoor, Kottayam, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019 (245)/81-PF-II]

का०आ० 1466.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स ट्रांस इलेक्ट्रिकल, 115, बी, मोवब्रास रोड, मद्रास-18, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35018 (246)/81-पी०एफ-2]

S.O. 1466.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Trans Electricals, 115B, Mowbrays Road Madras-18, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment;

[No. S. 35019(246)/81-PF-II]

का०आ० 1467.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स मोदी स्टील वायर मैनुफैक्चरिंग कम्पनी, प्लॉट नं० 15, इंडस्ट्रियल इस्टेट एम्बटूर, मद्रास-58, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापना को लागू किए जाने चाहिए;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019 (247)/81-पी०एफ-2]

S.O. 1467.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Modi Steel Wire Manufacturing Company, Plot No. 15, Industrial Estate, Ambattur, Madras-58, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(247)/81-PF-II]

का०आ० 1468.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स भोपाल राज एंड सन्स, 145, नुनगामबक्कम हाई रोड, मद्रास-34, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019 (248)/81-पी०एफ-2]

S.O. 1468.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhopal Raj and Sons, 145, Nungambakham High Road Madras-34 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(248)/81-PF-II]

का०आ० 1469.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स पी० एस० सर्विस, 81, दुर्गम रोड, कल्लकुरिची, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019 (249)/81-पी०एफ-2]

S.O. 1469.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. S. Service, 81 Durgam Road, Kallakurichi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(249)/81-PF. II]

का०आ० 1470.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेर्स जैन फाइनेन्स कंपनी, दूसरी मंजिल, 13-14, आसफ अली रोड, (कमला मार्केट के सामने), नई दिल्ली नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

प्रतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019 (255) 81-पी०एफ-2]

S.O. 1470.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jain Finance Company, 2nd Floor, 13-14, Asaf Ali Road, (Opposite Kamla Market), New Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(255)/81-PF-II]

क्र० आ० 1471.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स खेतान एंड कंपनी, हिमालय हाउस, सातवीं मंजिल, फ्लैट बी-72, 23, कस्तूरबा गांधी मार्ग, नई दिल्ली, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(256)/81-पी०एफ०-2]

S.O. 1471.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Khaitan and Company, Himalaya House, 7th Floor, Flat B-72, 23, Kasturba Gandhi Marg, New Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(256)/81-PF-II]

क्र० आ० 1472.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स थ्रैडवेल गेज एंड टूल कंपनी, जी-14, इंडस्ट्रियल एस्टेट, अम्बटूर, मद्रास-58 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(257)/81-पी० एफ०-2]

S.O. 1472.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Threadwel Gauge and Tool Company, G-14, Industrial Estate, Ambattur, Madras-58, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(257)/81-PF-II]

क्र० आ० 1473.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इन्जीनियरिंग कॉम्पोनेंट्स, एम० एम० गार्डन नं० 115, जी० एम० टी० रोड, एरुक्कनचरी, मद्रास-51, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(258)/81-पी० एफ०-2]

S.O. 1473.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Engineering Components, M. M. Garden No. 115, G. N. T. Road, Erukkan-cherry, Madras-51, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(258)/81-PF-II]

क्र० आ० 1474.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जॉर्जर्ट्स प्रेस, तिल्लरी, क्वीलोन-1, केरल, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(259)/81-पी० एफ०-2]

S.O. 1474.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Josarts Press, Tillery, Quilon-1, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(259)/81-PF-II]

क्र० आ० 1475.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूकाल एक्सपोर्ट्स (प्राइवेट) लिमिटेड, 118, माउन्ट रोड, मद्रास-2, नामक स्थापन से नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(260)/81-पी० एफ०-2]

S.O. 1475.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ucal Exports (Private) Limited, 118, Mount Road, Madras-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(260)/81-PF-II]

क्र० आ० 1476.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स म्यूलिंगेश्वरी एंजेलीज (कॉमिंग रोकसन), 2, रत्नोत्सामी पुरम, सीताराम चेट्टी रोड, सलेम-9, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस-35019(261)/81-पी० एफ०-2]

S.O. 1476.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Malligeswari Agencies, (Coning Section), 2, Rathnasampuram, Seetharama Chetty Road, Salem-9, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(261)/81-PF-II]

का० आ० 1477.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होटल कृष्णा (लाजिंग) लकीवीनापूल, हैदराबाद-4, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(262)/81-पी०एफ०-2]

S.O. 1477.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hotel Krishna (Lodging) Lakidnapool, Hyderabad-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(262)/81-PF-II]

का० आ० 1478.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गोल्ड फाइनेन्स कंपनी, 11-4736 41, रोशनारा रोड, दिल्ली नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(263)/81-पी०एफ०-2]

S.O. 1478.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Golden Finance Company, XII-4736/41, Roshanara Road Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(263)/81-PF-II]

का० आ० 1479.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मुस्तान बर्बर्स, इंडस्ट्रियल इस्टेट, एट्टमानूर, कोट्टायम, केरल, जिसके पते पी० जान० नं० बारिवा बिल्डिंग कोट्टायम, केरल स्थित उसका मुख्य कार्यालय भी है ; नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(264)/81-पी०एफ०-2]

S.O. 1479.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mustang Rubbers, Industrial Estate, Ettumanoor, Kottayam, Kerala including its Head Office at P. John Zabarria Buildings, Kottayam, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(264)/81-PF-II]

का० आ० 1480.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बी० आर० पिस्टन रिंग इंडस्ट्रीज, ए-44, वाज़िपुर इंडस्ट्रियल एरिया, दिल्ली, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(266)/81-पी०एफ०-2]

S.O. 1480.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs B. R. Piston Ring Industries, A-44, Wazirpur Industrial Area, Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(266)/81-PF-II]

का० आ० 1481.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मॉडल वर्क्स, न्यू थिरुवाहल्ली रोड, शिमोगा-577201, कर्नाटक नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(324)/81-पी०एफ०-2]

S.O. 1481.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Model Works, New Thiruthahalli Road, Shimoga-577201, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(324)/81-PF-II]

का० आ० 1482—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मेना थियेटर्स, मेना बिल्डिंग, 57, डा० राधाकृष्णन रोड, माहलाफोर, मद्रास-4, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(325)/81-पी०एफ०-2]

S.O. 1482.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mena Theatres, Mena Building, 57, Dr. Radha Krishnan Road, Mylapore, Madras-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(325)/81-PF-II]

नई दिल्ली, 27 मार्च, 1982

का० आ० 1483.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री अक्कामाम्बा टेक्स्टाइल इम्प्लाइज को-ऑपरेटिव स्टोर्स लिमिटेड, तानुकु (आन्ध्र प्रदेश), नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) का द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 1 उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(326)/81-पी०एफ०-2]

New Delhi, the 27th March, 1982

S.O. 1483.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sree Akkamba Textiles Employees Co-operative Stores Limited, Tanuku (Andhra Pradesh), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(326)/81-PF-II]

का० आ० 1484.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बाणिज्य विकास, ब्लॉक-6, ईस्टर्न मार्केट बिल्डिंग, भुवनेश्वर, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधि-

नियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(327)/81-पी०एफ०-2]

S.O. 1484.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Banijya Bikash, Block-6, Eastern Market Building, Bhubaneswar, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(327)/81-PF-II]

का० आ० 1485.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ईस्टर्न इलेक्ट्रिकल्स, 14-बी, इंडस्ट्रियल एरिया, गोविन्दपुरा, भोपाल, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(328)/81-पी०एस०-2]

S.O. 1485.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Eastern Electricals, 14-B, Industrial Area, Govindpura, Bhopal, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(328)/81-PF-II]

का० आ० 1486.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मीनार रेस्तरां, एल 11, कनाउट सर्कस, नई दिल्ली, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(329)/81-पी०एफ०-2]

S.O. 1486. Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Minar Restaurant, L-11, Connaught Circus, New Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(329)/81-PF.II]

का० आ० 1487—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हिन्द पुस्तक भंडार, गम्भी केदार नाथ, चावड़ी बाजार, दिल्ली, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(330)/81-पी०एफ०-2]

S.O. 1487.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hind Pustak Bahndar, Gali Kedarnath, Chawri Bazar, Delhi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(330)/81-PF.II]

का० आ० 1488—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउथ एशिया इंजीनियरिंग इंडस्ट्रीज, 19-ए, अय्या पिल्लई, गार्डन स्ट्रीट, मद्रास-19, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(342)/81पी०एफ०-2]

S.O. 1488.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs South Asia Engineering Industries, 19-A, Ayya Pillai, Garden Street, Madras-19, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(342)/81-PF.II]

का० आ० 1489—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रसिपुरम हैंडलूम टेक्स्टाइल्स, रसिपुरम, जिला सलेम, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम,

1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(343)/81-पी०एफ०-2]

S.O. 1489.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rasipuram Handloom Textiles, Rasipuram, Salem District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(343)/81-PF-II]

का० आ० 1490—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साहू इंजीनियरिंग, ए-37, इंडस्ट्रियल इस्टेट, कटक-10, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019 (344)/81-पी०एफ०-2]

S.O. 1490.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sahoo Engineering, A-37, Industrial Estate, Cuttack-10, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(344)/81-PF-II]

का० आ० 1491—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बाला जी फैब्रीकेटर्स एंड फास्नर्स, 101/1 नन्दनम, माउन्ट रोड, मद्रास-35 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस०-35019(345)/81-पी०एफ०-2]

S.O. 1491.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Balaji Fabricators and Fasteners, 101/1, Nandanam, Mount Road, Madras-35, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the establishment.

[No. S. 35019(345)/81-PF-II]

का० आ० 1492.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रभुल्ला टैनिंग कंपनी, 93, साननकुप्पम रोड, मेलक्कुणपुरम, मम्बूर-635802, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019 (346)/81-पी० एफ०-2]

S.O. 1492.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Abdullah Tanning Company, 93, Sanankuppam Road, Melkrishnapuram, Ambur-635802, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(346)/81-PF-II]

का० आ० 1493.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजेश्वरी इंटरप्राइजेज, 71 कांग्रेस बिल्डिंग, 574, माउंट रोड, मद्रास-6, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019 (347)/81-पी० एफ०-2]

S.O. 1493.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajeswari Enterprises, 71, Congress Buildings, 574, Mount Road, Madras-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(347)/81-PF-II]

का० आ० 1494.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जे० कोरिकासायन एंड कंपनी, नं० 6, रामचन्द्र मय्यर स्ट्रीट, टी० नगर, मद्रास-17, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019 (348)/81-पी० एफ०-2]

S.O. 1494.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs J. Gowrikanathan and Company, No. 6, Ramachandra Iyer Street, T. Nagar, Madras-17, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(348)/81-PF-II]

का० आ० 1495.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हंसा लेदर एक्सपोर्ट काठिवडी रोड, मेलक्कुशरम जिला उत्तरी अर्कोट जिसके प्लॉट नं० 17, मोवलांग मुथुग्रामिनी स्ट्रीट, पेरियामेट, मद्रास-2 स्थित उनका प्रशासनिक कार्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019 (349)/81-पी० एफ०-2]

S.O. 1495.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hansa Leather Export, Kathivadi Road, Melvisharam, North Arcot District, including its Administrative Office at No. 17, Gowlong Muthugramini Street, Periamet, Madras-3, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(349)/81-PF-II]

का० आ० 1496.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुमुक्का इंडस्ट्रिज, नं० 8, एस आई सी सी प्रो (सिडको) इंडस्ट्रियल कुरिची, कोयम्बटूर-21, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं० एस०-35019(350)/81-पी० एफ०-2]

S.O. 1496.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sumukha Industries, No. 6, SIDCO Industrial Estate, Kurichi, Coimbatore-21, have agreed that the pro-

visions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(350)/81-PF-II]

का० आ० 1497—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इम्पैक्ट्स (प्राइवेट) लिमिटेड न०. 15 एस आई सी सी सी (मिडको) इंडस्ट्रियल इस्टेट, अम्बतूर मद्रास-98, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(351)/81-पी० एफ-2]

S.O. 1497.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Impacts (Private) Limited, No. 15, SIDCO Industrial Estate, Ambattur, Madras-98 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(351)/81-PF-II]

का० आ० 1498—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पलानी मुरुगन ट्रान्सपोर्ट्स, स० 53, दिन्दिगुल रोड, पलानी-624601, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(353)/81-पी० एफ-2]

S.O. 1498.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Palani Murugan Transports, No. 53, Dindigul Road, Palani-624601, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(353)/81-PF.II]

का० आ० 1499—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मद्रास हीट ट्रान्सफर प्राइवेट (प्राइवेट) लिमिटेड, डी-22, इंडस्ट्रियल इस्टेट, अम्बतूर, मद्रास-58, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी

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भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(354)/81-पी० एफ-2]

S.O. 1499.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Madras Heat Transfer Products (Private) Limited, D-22, Industrial Estate Ambattur, Madras-58 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(354)/81-PF-II]

का० आ० 1500—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ईश्वरी इंजीनियरिंग कंपनी, नार्थ प्लॉट सं० 21-ई, अम्बतूर इंडस्ट्रियल इस्टेट, अम्बतूर, मद्रास-58, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(355)/81-पी० एफ-2]

S.O. 1500.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Easwari Engineering Company North Plot No. 21-E, Ambattur Industrial Estate, Ambattur, Madras-58 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(355)/81-PF.II]

का० आ० 1501—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री आंजनेय कोम्पापरेटिव बैंक लिमिटेड, जे-111, आंजनेय ब्लॉक, मोषात्रिपुरम, बंगलौर-20, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(356)/81-पी० एफ-2]

S.O. 1501—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sree Anjaneya Co-operative Bank Limited, J-111, Anjaneya Block, Sheshadripuram, Bangalore-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(356)/81-PF-II]

क्र० आ० 1502—केन्द्रीय सरकार को यह प्रतीत होता है कि मैगसे साबरी रबर (प्राइवेट) लिमिटेड, इण्डियन इस्टेट एट्टमानूर, कोट्टायम, जिला केरल जिसके अन्तर्गत पी० आन० आचारिया बिल्डिंग्स, कोट्टायम-1, केरल स्थित उसका प्रशासनिक कार्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019(357)/81-पी० एफ-2]

S.O. 1502—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sabari Rubber (Private) Limited, Industrial Estate, Ettumanoor, Kottayam, District Kerala including its Administrative Office at P. John Zachariah Buildings, Kottayam-1, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(357)/81-PF-II]

क्र० आ० 1503—केन्द्रीय सरकार को यह प्रतीत होता है कि मैगसे डायमंड सीफूड एक्सपोर्ट्स 3/52, कृष्णराजापुरम, पोस्ट बाक्स सं० 84, टूटिकोरिन-2, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019/(358)/81-पी० एफ-2]

S.O. 1503—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Diamond Seafood Exports, 3/52, Krishnarajapuram, Post Box No. 84, Tuticorin-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section(4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(358)/81-PF-III]

क्र० आ० 1504—केन्द्रीय सरकार को यह प्रतीत होता है कि मैगसे मुरली कृष्ण आफसेट प्रिन्टर्स, 9/2, पी० के० एस० ए० आरुमुगा नाडार स्ट्रीट, पोस्ट बाक्स, सं० 182, शिवकासी, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019/(359)/81-पी० एफ-2]

S.O. 1504—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Murali Krishna Off-set Printers, 9/2, P. K. S. A. Arumuga Nadar Street, Post Box No. 182, Sivukasi, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(359)/81-PF-II]

क्र० आ० 1505—केन्द्रीय सरकार को यह प्रतीत होता है कि मैगसे टिको टूल्स एंड गेजिंग, सं० 34, एस आई डी सी ओ इस्टेट, अम्बटूर, मद्रास-98, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019/(360)/81-पी० एफ-2]

S.O. 1505—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tico Tools and Gauges, No. 34, SIDCO Estate, Ambattur, Madras-98, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(360)/81-PF-II]

क्र० आ० 1506—केन्द्रीय सरकार को यह प्रतीत होता है कि मैगसे गोव्यास एंड गोव्यास, कैथोलिक सेंटर (एन्नेक्सी) सं० 64, आर्मेनियन स्ट्रीट, मद्रास-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019/(361)/81-पी० एफ-2]

S.O. 1506—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Govias and Govias, Catholic Centre (Annexe) No. 64, Armenian

Street, Madras-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(361)/81-PF.II]

का० आ० 1507.—केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स लक्ष्मी पिक्चर पैलेस, 130, बाबिली गिना श्रीकाकुलम, मामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थान को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[न० एस-35019(362)/81-पी० एफ-2]

S.O. 1507.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Laxmi Picture Palace, 130, Babbili, District Srikakulam, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/(362)/81-PF.II]

शुद्धि पत्र

नई दिल्ली, 29 मार्च, 1982

का० आ० 1508.—भारत के राजपत्र भाग 2 खण्ड 3, उप-खण्ड (ii) तारीख 21 नवम्बर, 1981 के पृष्ठ 3708 पर प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० आ० 3182 तारीख 5 नवम्बर, 1981 की दूसरी पंक्ति में "मध्य प्रदेश" के स्थान पर "मध्य प्रदेश राज्य" पढ़े।

[न० एस-35019/(18)/81-पी० एफ-2]

CORRIGENDUM

New Delhi, the 29th March, 1982

S.O. 1508.—In the Notification of the Government of India in the Ministry of Labour No. S.O. 3182 dated the 5th November, 1981 published in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 21st November, 1981, at page 3708 in line 4 for 'Madhya Pradesh' read 'Madhya Pradesh State'.

[No. S. 35019/(18)/81-PF.II]

का० आ० 1509.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 2493 दिनांक 8 सितम्बर, 1981, के अनुक्रम-मे. भारत डेवी एण्ड बेसेल्स लिमिटेड, विशाखा-पट्टनम का: उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1981 से 30 जून, 1982 तक, जिसमें यह दिन भी सम्मिलित है, की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियाँ, ऐसे प्रश्न में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधिनियम, उक्त अवधि की बाबत की गई किसी विवरण की विशिष्टियों सत्यापित करने के प्रयोजनार्थ; या

(2) यह अधिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा तथा अपेक्षित रजिस्ट्रार और अभिलेख, उक्त अवधि के लिए रखे गये थे या नहीं, या

(3) यह अधिनियमित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन कार्यों की, जिनके प्रतिफल-स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और बहुत रूप में पाने का हकदार बना हुआ है या नहीं, या

(4) यह अधिनियमित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिये सक्षम होगा:—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभागी-धीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संज्ञाप से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अधिकर्ता या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना,

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्ट्रार, लेखाबही या अन्य दस्तावेज की तफ़्ती तैयार करना या उससे उद्धरण लेना।

व्यावसायिक शक्ति

EXPLANATORY MEMORANDUM

इस मामले में पूर्ववर्ती प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन-पत्र की कार्यवाही पर समय लगा, तथापि, यह प्रमाणित किया जाता है कि पूर्ववर्ती प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एस-38014/1/81-एच०आई०]

S.O. 1509.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 2493 dated the 8th September, 1981, the Central Government hereby exempts M/s. Bharat Heavy Plate and Vessels Limited, Visakhapatnam from the operation of the said Act for a further period of one year with effect from 1st July, 1981 upto and inclusive of the 30th June, 1982.

2. The above exemption is subject to the following conditions, namely:—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—

- verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period;
- ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;

by empowered to—

- require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S-38014/12/81-HI]

का० मा० 1510 —केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० मा० 2701, दिनांक 17 सितंबर 1981 के अनुक्रम में, दि इण्डियन भारल ब्लैडिंग लिमिटेड पी 68, सी० सी० भारल इंडस्ट्रियल रोड, पहाड़पुर, कलकत्ता और दि इंडियन भारल ब्लैडिंग लिमिटेड, पिर पाऊ, ट्राम्पे, बम्बई-74 को उक्त अधिनियम के प्रवर्तन से पहली जुलाई, 1981 से जून, 1982 तक जिसमें यह बिन भी सम्मिलित है, एक वर्ष की और अवधि के लिए छूट देती है।

3 पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

- उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणियाँ ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी,
- निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—
 - धारा 44 की उपधारा (1) के अधीन उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या
 - यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा मणा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गये थे या नहीं; या
 - यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रति-फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, तब से और वस्तु रूप से पाने का हकदार बना हुआ है, या नहीं; या
 - यह अभिनियमित करने के प्रयोजनार्थ कि उक्त अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिये सशक्त होगा:—

- प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है, या
- ऐसे प्रधान या अव्यवहित नियोजक के अधिभागाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रधान से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संवाय से संबंधित ऐसे लेखा, बहियाँ और अन्य वस्तुवैज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करें, या उन्हें ऐसी जानकारी में जिसे वे आवश्यक समझते हैं; या

- (ग) प्रधान या अध्यक्षित नियोजक को, उसके अधिकारी या सेवक की, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पञ्चारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

व्याख्यात्मक भाषण

इस मामले में पूर्णपक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन-पत्र पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि पूर्णपक्षी प्रभाव से छूट देने में किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एस 38014/25/81-एच० आई०]

ए०के० भट्टाराली अवर सचिव

S.O. 1510.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 2701 dated the 17th September, 1981, the Central Government hereby exempts the Indian Oil Blending Limited, P. 68, C.C.R. Diversion Road, Paharpur, Calcutta and the Indian Oil Blending Limited, Pir Pau, Trombay, Bombay-74 from the operation of the said Act for a further period of one year with effect from the 1st July, 1981 upto and inclusive of the 30th June, 1982.

2. The above exemption is subject to the following conditions, namely:—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(2) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purpose of—

- verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
- ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said period; or

by empowered to—

- require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

- examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S-38014/25/81-HI]

A. K. BHATTARAI, Under Secy.

New Delhi, the 27th March, 1982

S.O. 1511.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Arbitrator in the industrial dispute between the employers in relation to the management of Bombay Port Trust and their workmen, which was received by the Central Government on the 17th March, 1982.

BEFORE THE ARBITRATOR JUSTICE C. T. DIGHE,
BOMBAY

JUSTICE C. T. DIGHE ESQ., BA (Hons.), LL.M.,
ARBITRATOR

PARTIES :

Employers in Relation to the Bombay Port Trust
And
Their Workmen

APPEARANCES :

For the Employers—Mr. Bhatkal, Advocate. Mr. R. K. Shetty, Legal Advisor.

For Bombay Port Trust Employees' Union—Mr. S. K. Shetye, General Secretary.

INDUSTRY : Ports and Docks STATE : Maharashtra
Bombay, the 13th March, 1982

AWARD

This Award relates to the demands made by the three categories of workers viz. Crane Tindels attached to Hydraulic Establishment, India Deck and Hydraulic Establishment P and V Docks; Mobile Crane Supervisors attached to a Section where ships' unloading operations are carried out in a shift and the Tally Clerks of the Docks Department, all employees of the Bombay Port Trust. The Crane Tindels and the Mobile Crane Supervisors are disputing the quantum of piece-rate incentive premium that is being paid to them, while the dispute in respect of Tally Clerks pertains to the arrears of such premium for the period 1-3-1979 to 7-12-1979. According to the Crane Tindels when they are employed in a Section where ships' loading/unloading operations are carried out in shift they should be paid a premium equivalent to the average of the piece-rate earnings above the detum of the Wharf Crane Drivers employed in that section and in that shift instead of 50% of such average. As regards the Mobile Crane Supervisors attached to a Section where ships' unloading operations are carried out in a shift they ask for a premium equal to the average of the premium earned by the Mobile Crane Drivers working under them in that shift. So far as the Tally Clerks are concerned, they ask for Rs. 1,000 as lump sum arrears without making calculations when Rs. 750 only are paid to them by the Bombay Port Trust without making calculations. That amount is accepted reserving the claim to agitate for more than Rs. 750 but not exceeding Rs. 1,000.

2. The concerned parties viz. The Board of Trustees of the Port of Bombay and the Bombay Port Trust Employees represented by the General Secretary, Bombay Port Trust Employees' Union, Bombay, executed an agreement under Section 10A of the Industrial Disputes Act, 1947, appointing me as an Arbitrator for resolving these disputes. When that agreement was received by the Government of India, Ministry of Labour, a notification was issued on 23rd June, 1981, under sub-section (3) of Section 10A of the Industrial Disputes Act, 1947, for proceedings with the Arbitration. The full text of the notification is at Appendix 'A'. The specific matters in the dispute as put in the agreement and the notification are as follows :—

- (a) Whether the demand that the Crane Tindels attached to Hydraulic Establishment, Indira Dock and Hydraulic Establishment, P & V Docks should, when employed in a section where ships' loading and/or unloading operations are carried out in shift, be paid a premium equivalent to the average of the piece-rate earnings above the datum of the Wharf Crane Drivers employed in that section and in that shift and whose work comes under their supervision, instead of a premium equivalent to 50% of such average already agreed to be paid, is justified? If not, are the Crane Tindels entitled to any other relief.
- (b) Whether the demand of the B.P.T. Employees' Union that the Mobile Crane Supervisor attached to a Section where ships' unloading operations are carried out in a shift, should be paid a premium equal to the average of the premium earned by the Mobile Crane Drivers working under him in that shift, is justified? If not, at what rate he should be paid the premium.
- (c) Having regard to the Settlement dated 30-9-1980 signed between the Management and the Union, whether the demand of the B.P.T. Employees' Union that the Tally Clerks of the Docks Department of the Bombay Port Trust deployed on piece-work be paid an amount of Rs. 1,000 per head (including the amount of Rs. 750 per head already paid under the said settlement) as a lump sum payment in full and final settlement of their claims for arrears on account of the premium for the period from 1-3-1979 to 7-12-1979 is justified?"

3. The Bombay Port Trust in discharge of the statutory obligations to look after loading and unloading operations in the Docks is required to employ various types of workers. In addition to these employees, employees of the Dock Labour Board, are also concerned in such operations. The category of workers called 'Tally Clerks' is common to both these organisations. Many of the terms and conditions of work in these organisations are similar. Since the management wanted accelerated movement of goods, they accepted the principle to pay incentive premium on result oriented basis. In terms of Labour Appellate Tribunal's decision of March 1956, certain categories were recognised for such payment. One is the category of Wharf Crane Driver, who is also attached to Hydraulic Establishment of Indira Dock as well as the Princes and Victoria Docks. A Wharf Crane Driver is concerned in hoisting up the slings and lowering them down with the help of a crane either in connection with the loading operation or in connection with the unloading operation. A Wharf Crane works on the wharf at a static point. The operations of filling up the alings are entrusted to a gang of mazdoors headed by an employee called 'Morpia'. This is another category selected for incentive premium. The duties of a Morpia need not be looked into in details at this stage, suffice it to say that he is supervising the work of the entire gang.

4. In the year 1960, Government appointed a Tripartite Committee of the representatives of the employers, representative of the Unions and an independent Chairman to consider the question of extension of piece-rate schemes to new categories. Among the categories recommended for extension are the Tally Clerks and Mobile Crane Drivers. The work of the Tally Clerk in shifts is to make a note of the cargo filled in the sling which is either loaded or unloaded and to make remarks regarding the weight or the condition of the cargo. Mobile Crane Drivers are employed on the shore for

moving the cargo from the ship to the shed or vice versa. They operate the gears inclusive of the gears like forklifts, platform trucks or tractors.

5. In the year 1971 a Tripartite Committee under the Chairmanship of Shri Ramamoorthi was appointed for suggesting improvements inter alia in the payments or revision of piece-rate as well as inclusion of more categories. Unfortunately, there was no unanimous or majority report. Each member appended his opinion. In February, 1974, however, a settlement was reached between the concerned parties, broadly speaking, accepting the recommendations of the Chairman, Ramamoorthi and implementing the same as from 1-2-1974. Shed Superintendents and Labour Supervisors of Docks Department were the categories included for earnings piece-rate incentives. There was also the clause to give a lump sum of Rs. 1,000 for each of the concerned employee for the period 1-1-1972 to 31-1-1974. The Shed Superintendent, to speak in short is in over all charge of the sheds where cargo is stocked either before export or immediately after it is unloaded as **import cargo and kept** in the sheds. He has also to look to the facilities of warehousing. He is assisted by an employee called 'Assistant Shed Superintendent' and the Labour Supervisor as the name suggests is an employee looking to the welfare of the shore workers, solving their difficulties and in general seeing that the operations entrusted to the Shed Superintendent are done smoothly.

6. It appears that there was a clamour for promotional openings among the Wharf Crane Drivers and the Mobile Crane Drivers. Sometime in the year 1972 the category of 'Crane Tindel' in the Hydraulic Establishment and the Mobile Crane Supervisor (Operative) in the Mobile Crane Section were created as promotional posts. In the agreement of February, 1947 there was a proposal to appoint an Inter-Departmental Committee, consisting of a representative from the Transport Ministry, the Labour Ministry and the Finance Ministry to go into the demands for revision of the piece rate and the extension of piece-rate categories. This Committee recommended extension of piece-rate to the Assistant Shed Superintendents, to the Crane Tindels, and to the Mobile Crane Supervisors. The later two were promotional appointments and therefore in the nature of higher or supervisory posts qua the respective Drivers. Their job consisted of looking to the smooth working of the respective Cranes though they may be located not only at one place, but in an extended area. The dispute started when a formula was evolved for the payment of piece-rate premium to these two categories. They want the full average payment whereas what is proposed is the 50% of the average premium. In respect of the Tally Clerks covered by the scheme since 1980, the dispute is only for arrears from 1-3-1979 to 7-12-1979. As in the case of Tally Clerks of the Bombay Dock Labour Board they ask for Rs. 1,000 as lump sum for that period whereas the Port Trust has estimated the same at Rs. 750.

7. The Bombay Port Trust Employees' Union filed its statement on 3-8-1981 with an annexure detailing the duties of the Crane Tindel and the Mobile Crane Supervisor (Operative). The Secretary, Bombay Port Trust, filed the employees' statement on 11-9-1981. As the matter proceeded the Union examined three witnesses, a Mobile Crane Supervisor, a Crane Tindel and a Tally Clerks whereas on behalf the management, besides Mr. Pai, the Secretary, Shri Gondhalkar, Junior Executive Engineer in Chief Mechanical Engineering Department; Shri Saurirajan, Assistant Manager, Docks Department and Shri George Lewis, the Chief Administrative Officer, working in the Dock Labour Board came to be examined.

8. The Union in their statement of claims emphasises that the Crane Tindels and the Mobile Crane Supervisors are promotional posts qua Wharf Crane Drivers and Mobile Crane Drivers respectively. According to them, the above noted employees by virtue of their position play the role of accelerating the movement of the cargo, useful in clearing the Dock-work. Although these persons move about in different sections and although Wharf Crane Drivers are working on the static Hydraulic gears, they have a direct connection with the Drivers whose work they supervise. In justifying the demand for a premium equivalent to the average of the piece-rate earnings above the datum of the Wharf

Crane Drivers employed in the section and in the shift where Crane Tindels are attached to Hydraulic Establishment in the Docks, as well as the demand of the Mobile Crane Supervisors to get similar premium, the Union submits that a look at the duties of these two categories of employees would show the need for giving 100% incentive. It is also pointed out that there is inter-changeability between the post of Drivers and the superior post of Crane Tindels or the Mobile Crane Supervisors as the case may be, in as much as in an emergency they are required to work on the inferior post of Drivers. It is further said that if the premium demanded is not granted, the total emoluments of the promotional posts becomes less than the total emoluments of the lower posts which is most inequitable and unjustified. The fact that the superior holders of the posts are required to move from place to place within the radius assigned to them shows the burden of responsibility and therefore the necessity to grant the incentive as claimed. It is further pointed out that a Crane Driver remaining in the lower post when appointed as Crane Driver to train others although not directly concerned in the operation of hauling up and bringing down the cargo is given the 100% premium incentive and hence there is stronger reason for granting the same to the Crane Tindels and the Mobile Crane Supervisors.

9. They repudiate the suggestion of the management that these posts are comparable to the posts of Shed Superintendent, Assistant Shed Superintendent and Labour Supervisor, a Shed Superintendent getting 50% of the average premium and the other two getting 40% of the average premium, by saying that the comparison is ill-conceived. They would compare the posts in question with the category of workers called Morpia and Hatch Foreman. A Hatch Foreman does the duty of signalling to the driver while cargo is being hauled up or lowered so that the sling moves in the correct plane without damaging any part of the ship and rests exactly at the desired point. The driver working on the gear adjusts the machine according to those signals. A Hatch Foreman is entitled to 100% incentive premium. A Morpia is the leader of the gang of Mazdoors working on the loading and unloading of the slings. He is also entitled to 100% incentive premium.

10. It seems there were a number of negotiations between the Bombay Port Trust Employees' Union and other Unions as well as the Officers on the subject of the revisions of piece-rate incentive to different categories of workers. Dr. S. Ray, the Director (Planning and Research), Bombay Port Trust, had associated himself in some negotiations and it appears formulated inter alia a scheme for incentive payment to Crane Tindels and Mobile Crane Drivers, which was delivered to the Bombay Port Trust Employees' Union by letter dated 10th July, 1979, for comments. According to the Union, they had accepted that proposal. A reference to these matters has been made in the Trustees' Resolution No. 370 dated 23-12-1980. Ex. F-3, Dr. Ray's proposal as embodied in para 6 of that Resolution reads as follows:—

"As regards Crane Tindels and Mobile Crane Supervisors there was some discussion with the Unions and schemes on the following lines were sent to them for comments vide Director (Planning and Research) letter No. D(P&R) 377 dated 10th July, 1979 :

CRANE TINDEL :

Wharf Crane Tindel would get as premium an amount equivalent to the average of the piece-rate earnings above the datum of the wharf Crane Drivers whose work come under his supervision.

MOBILE CRANE SUPERVISOR :

Mobile Crane Supervisor would get as premium an amount equivalent to the average of the premium earned by the mobile Crane Drivers working under him in a shift".

It was also suggested that the following duties may be added to the list of duties of these categories :

- (i) Mobile Crane Supervisor will take over vehicles from outgoing Drivers.
- (ii) Crane Tindel will relieve the Crane Driver in case of emergency and in such a case, he will be paid piece-rate as per the scheme applicable to Crane Driver pro-rata for the period of relieving duty.

Bombay Port Trust Employees' Union has indicated that the schemes as aforesaid are generally acceptable to it.

11. Bombay Port Trust Employees' Union now says that the management has gone back upon this proposal, which envisages 100% payment of piece-rate incentive to the Crane Tindels and the Mobile Crane Supervisors although with slight addition in the list of duties.

12. As regards the Tally Clerks of the Bombay Port Trust, Union submits that the settlement dated 20th of February, 1979 provides for the reexamination and revision of the incentive premium in respect of the Tally Clerks with effect from 1-3-1979. Nothing however was done till 7-12-1979 on which day the scheme was revised, but the revision was to be effective from 8-12-1979 so that the question of arrears from 1-3-1979 to 7-12-1979 cropped up. According to the Union, as computation of arrears would have been a time consuming process and the B.P.T. management would have been required to spend more on computation of the arrears than the actual amount of arrears, the Union demanded payment of Rs. 1,000 per Tally Clerk in lieu of the arrears on the analogy of the lump sum payment made to the Tally Clerks of the Bombay Dock Labour Board working side by side in the Docks. 15,000 employees of the Bombay Docks are given piece-rate earnings on the basis of the tally sheets prepared by the Tally Clerks of the Bombay Port Trust. These sheets are also used for estimating claims for shortage and claims for damages, etc. The Union therefore says that it is most unjust and unfair to discriminate between the Tally Clerks of the Bombay Port Trust in the matter of lump sum payment on account of revision of piece-rate incentive scheme. It is further said that on computation, the claim would have been much more than Rs. 1000 per clerk. But, by way of compromise and with due regard to the practice followed in the past, they restricted the claim at Rs. 1000 the amount given to the Tally Clerks of the Dock Labour Board. Past payments made on similar lines to the workers of the Dock Labour Board and the Bombay Port Trust for arrears have been referred to, with a view to showing how such claims are broadly entertained by the respective managements.

13. The employers and the Trustees of the Port of Bombay do not admit many of these contentions. They deny that the Crane Tindels or the Mobile Crane Supervisors are any way helpful in accelerating the movement of the cargo handled in the dock. They also deny the alleged direct connection of these two categories of employees with the crane Drivers. Since these two categories of employees are required to move from place to place it is said that the connection if any, is remote or casual and their participation in operations is often demonstrative. According to them whenever the participation is direct as at the time of emergency where they are required to operate the gear 100% piece-rate earnings for those days are granted. They also deny the inter-changeability as alleged saying that in emergency when they work as Drivers they are looked upon as Drivers for payment. They deny that the Crane Tindels or Mobile Crane Supervisors can be treated as the part of a gang like that of a Morpia or a Hatch Foreman or that they help the Wharf Crane Drivers or the Mobile Crane Driver in their work like a Morpia or a Hatch Foreman. According to them the Drivers are engaged in direct operations while the Crane Tindels and Mobile Crane Supervisors are connected with work only to see that cranes are in working orders and that there are no bottlenecks in their manning. The Crane Drivers are posted or relieved from or shifted over to cranes by them. They may also resolve petty disputes on the spot or maintain relevant records pertaining to the operations of the crane but they say that the post of a Morpia or a Hatch Foreman is different in that a Morpia working on the shore and a Hatch Foreman working on board the ship are engaged continuously in supervising the operations right from the beginning of work to the finishing of the same. It is, therefore, said that the supervision is direct and continuous and not remote or casual as in the case of the workers in the disputed categories. The gangs are manned through out by Morpias on the shore and by Hatch Foreman on board the ship while in the case of Crane Tindels and Mobile Crane Supervisors cranes are left to the respective drivers. They deny that the radius of operation of the work Dr. Ray's proposal is justified. Employees say that in the case of incentive there should be as far as predicable precise and

accurate measurement of work done. The additional duties in Dr. Ray's proposal are looked upon by the employers as being given to earn reasonable earning of 50% of average piece-rate incentive. They say that for promotional posts, the total emoluments may not be necessarily higher. According to them, the case of incentive payments stands on a distinct footing, benefiting those who are directly and actually concerned. In accelerating the cargo movement. Those Supervising their operations are bound to get less incentive. They also deny the proposition that as a matter of fact the total pay packet of a Crane Tindal or Mobile Crane Supervisors will be less than the Crane Drivers. According to them 50% formula being connected with the average earnings of the Crane Drivers working at different locations results in 70% to 90% of the piece-rate earnings qua the individual Crane-man. They fear industrial unrest if the demand made for 100% incentive is accepted. They deny the comparison of the work of the disputed categories with the Morpia and Hatch Foreman and deny the denial of comparison with the work done by the Shed Superintendent and Labour Supervisors of the Docks Department.

14. It is pointed out on their behalf that Dr. Ray had only put forward a proposal for discussion and there was no commitment either from his side or from the management to accept the same as soon as there was an acceptance from the Union. The scheme was formulated to provide material for the task of fixing premium and it was not an offer.

15. As regards the case made out on behalf of the Tally Clerks the management deny the statement that they would have been required to spend more on computation although they admit that it would have been a time consuming process. According to them the rough estimate for the concerned period per Tally Clerk was around Rs. 580 and therefore the demand of Rs. 1,000 per Tally Clerks was unacceptable. They therefore struck on the figure of Rs. 750 for the period 1-3-1979 to 7-12-1979 by way of compromise. They deny any relevance will the amount paid to the Tally Clerks or workers of the Dock Labour Board. They deny the alleged practice in that behalf. It is admitted that a lump sum of Rs. 900 was paid in full and final settlement of the claim of arrears of all categories of workers including Tally clerk for the period 1-4-1978 to 28-2-1979 under the statement dated 20-2-1979. According to them, the claim for the period 1-3-1979 to 7-12-1979 is fully satisfied and the Arbitrator has nothing further to do in respect of that claim.

16. From the contesting statements it will be seen that as regards the claims of Crane Tindels and the Mobile Crane Supervisors, the point in dispute rests on the formula of equivalency, looking to the nature of duties and the position in the wage hierarchy the two categories occupy. Oral evidence was given by the parties to appreciated the type of work that is being done by the different categories mentioned. As regards the Tally Clerks the question has a different complexion. It is true that a large number of Tally Clerks will be affected, but the dispute relates to the grant of arrears by way of one lump sum. It is admitted by both sides that actual calculations are intricate. The question therefore resolves on how a fair deal should be meted out and in that context where lies the equity or justness of the demand. The oral evidence in respect of Tally Clerks has to be appreciated on the above lines.

17. Witness No. 1 for the Union is Madhav Gaves, working as a Mobile Crane Supervisor since 9th October, 1972. Prior to that he was first grade Driver for about 18 years and second grade Driver for five years. According to him he applied for becoming a Supervisor, in answer to a notice given by the Port Trust. After his application he underwent a test and his selection was done on meritcum-seniority. At the start he was given two increments over the previous salary, but the final result was reduction in the total monthly pay packet of a sum varying from Rs. 100 to 300. This was because of the incentive premium he used to get as a driver. He made a complaint to the Superiors personally and through the Union, and ultimately there were talks with Dr. Ray. Witness says that the suggested additional duties were agreed upon. This included replacing any vehicle at the spot in case of need and taking charge of it in the evening when the Driver returned.

18. He relies upon Annexure 'A' to their statement which speaks of the duties of Crane Tindels and Mobile Crane Supervisors. By and large these persons are to be incharge of the operation of cranes and have to do the posting of operating, relieving, shifting and maintenance of Crane Drivers in three shifts. They should have elementary knowledge of rules regarding the operation of Cranes and should be able to settle elementary disputes arising out of crane operation on the spot. They should also supervise oiling, tightening of glands etc. of the cranes, maintain log book and take attendance of Crane Drivers. They are to issue and receive spanners and oil cans and maintain their records, they are to send requisitions for late supply or cancellations during the recess period. In case of accident they are to accompany the Chargeman for on the spot investigations.

19. The witness says that there are four Sections A, B, C and D assigned to four Supervisors. The fifth Supervisor works in the garage. According to him, the Supervisor sees that the loading and unloading is expedited and is done with minimum loss of time. Those working in the office are not entitled to piece-rate premium. He further says that although there are 15 sanctioned posts only 10 are filled. It appears from the evidence of Mr. Gondhalekar for the management that four Supervisors work in the morning shift, four in the evening shift and two in the night shift. Witness Gawas says that the Supervisors help the Drivers in stationing the vehicles in correct position for lifting the luggage and arranging a substitute if the vehicle is out of order. According to him such work is not done by Morpia, not even by the Labour Supervisor. Witness says that a Labour Supervisor is not concerned with actual work.

20. In his cross-examination it is taken out that a Morpia is not required to work outside the gang and that he concentrates on the hook and the mazdoors working on such a hook. He has to see that the books are adjusted properly the sling is of appropriate size and the filling is done properly. As regards Hatch Foreman it is taken out from his mouth that he is required to see that the luggage is lowered at the correct point and lifted from the correct position as per the signal given by him to the driver. In terms of the map exhibit 7 he speaks of the sections A, B, C & D comprising the area from different Docks each section roughly extending to one mile. The Mobile Crane Supervisors, according to the witness usually takes two rounds in a shift of 8 hours and has to wait if his assistance is required say for stationing the gear in correct position. At times he has to demonstrate it personally. Sometimes other vehicles are brought from the garage by the Mobile Crane Supervisors if the driver is not available.

21. Witness No. 2 for the employees is Ahmed Shah Issaq Shah, a Crane Tindel. For 30 years he worked as Crane Driver and was promoted as Crane Tindel in 1972. He had applied for the post of Crane Tindel after a notice was put up. He complains that although he got the promotional post his day packet was reduced by Rs. 300 to 350 per month and therefore a grievance was made where upon some amount as arrears was received. It is his case that a 13 tonne Crane Driver receives about Rs. 310 per month, more than a crane Tindel. The Crane Drivers are of various types depending upon whether the crane is of 35 hundred weight, 3 tonnes, 6 tonnes or 13 tonnes. It is the Tindel who supervises the work of all such Crane Drivers including the 13 tonnes Drivers. According to the witness, in Indira Dock there are 15 posts of Crane Tindels of which two are unfilled. He there gives the list of duties which is already seen and also refers to the zones in which a Tindel works. According to the witness, a Tindel has to see that the Crane Driver is at his proper position works properly and that no delay is caused in the work. He has to avoid any type of damage in the working and to give instructions for that purpose. He must see that no delay is caused in any manner because even in a short time of 15 minutes four slings could be hauled up. If a crane stops working he must take immediate steps to call the maintenance staff. He has also to settle petty disputes on the spot. The witness says that a Crane Tindel attached to Princes and Victoria Docks gets less emoluments than a Tindel attached to Indira Dock. That is because of the turns.

22. He speaks of the efforts to settle the question of incentive payment and refers to Dr. Ray's formula. According to him a Training Master attached to the Section though junior gets 100 per cent premium like that of a Morpia. A Crane

Tindal who is given light duty by Port Trust authority is not entitled to any premium. He works not in zone, but in the office. According to the witness, a Crane Tindal's work can be compared to the work of a Hatch Foreman.

23. In cross-examination, the witness says that Tindals work in shifts. They do not come in contact with Shed Superintendent, Assistant Shed Superintendent or Labour Supervisor. Morpia is attached to shore gang. He decides and supervises the cargo filling in the sling. A Hatch Foreman is the person who signals for the sling to come down to rest at proper place. It is at his signal that the material from the hold is lifted to be emptied on the shore. In a ship there can be one or two or three hooks and some times there may be five and so many would be the gangs operating on the loading or unloading. A Crane Tindal is required to supervise between 2 to 16 cranes at a time. He has also to see that the crane is properly kept oiled and the driver works according to rules. The witness says that a Tindal normally takes 5 to 6 rounds in his area in a day. When a complaint is made, for resolving it a Tindal is required to go even to the hold. Such complaints could be about the working of the slings.

24. The third witness for the employees is Patmeshwar Laxman Shende, a Tally Clerk, since 1977. After an interview he was taken in service. Minimum qualification for a Tally clerk is matriculation or its equivalent. Same are the qualifications for a Tally Clerk in Dock Labour Board, and the pay scales are also the same. The Tally Clerks work on the wharf. Usually, a Tally Clerk of the Port Trust as well as the Dock Labour Board, work together. A Tally Clerk is required to verify the mark on the package, note down the total quantity loaded or unloaded, and also the condition of the package. He is also to note down the idle timings when the work is not done. Witness refers to the demand of Rs. 1000 for the arrears saying that the Tally Clerks of the Dock Labour Board received the same for the period. According to the witness, tally sheets maintained by Bombay Port Trust Tally Clerks are considered authentic and therefore as in the case of Dock Labour Board Rs. 1000 should be given. Formerly also similar payment of Rs. 900 and Rs. 1000 for arrears were given in equal amount to both the Tally Clerks.

25. In cross-examination he denies that the Dock Labour Board Tally Clerks alone look after the loading or unloading of bulk cargo such as sulphur, crude, scrap etc. If the cargo is discharged in midstream it is done in barges. A Tally Clerk belonging to the Dock Labour Board alone takes the notes, but he says that when the barges come down to the wharf, Bombay Port Trust Tally Clerk alone takes the tally. According to the witness, a Bombay Port Trust Tally Clerk has 23 to 24 turns in a month whereas in case of Dock Labour Board normal turns are 35 to 40 per month. This is however a rough estimate and no witness has been very precise about it. Tally Clerk is working in a shift. Witness also speaks about the settlement as a result of which Rs. 900 was paid for the arrears for the period 1974 to 1978.

26. Witness No. 1 for the employers is Ramesh Vinayak Gondalakar, Jr. Executive Engineer in the Chief Mechanical Engineer's Department, Bombay Port Trust. While deposing as a witness for the management he refers to the Mobile Crane Supervisors, Mobile Crane Drivers and the piece-rate premium. He however says that a Crane Driver gets 9 to 12 turns in a month. Piece rate premium depends upon the number of turns they work as Crane Drivers. So is the case with the Mobile Crane Drivers. A certain datum is fixed and above that the Drivers get the premium of 100 per cent. According to the witness, Crane Tindals are paid on the time scale basis which is higher than that of Crane Drivers. Similarly, Mobile Crane Supervisors are paid on the time scale basis which is higher than the Mobile Crane Drivers. Piece-rate premium is paid to these categories viz. the disputed categories according to Trustees Resolution No. 370 of 23rd December, 1980 that is to say 50 per cent of the average of the Crane Drivers.

27. While referring to the duties of the Tindal as per the exhibit already referred to witness says that a Crane Tindal takes a round and finds out whether there is any problem with the Crane Driver or working of the crane. He has also to resolve the disputes between the Crane Drivers and any concerned person. He has to look to the safe working of the cranes and or gears, which even a Driver is expected to know. According to the witness there are 4 zones. In each zone

1500 GT/81-9.

there are about 6 to 8 sheds and 25 to 27 cranes per Tindal in Indira Dock Section. The Witness says that since a Tindal takes round he is not directly concerned in expediting the loading or unloading of the cargo. Similarly, when a Crane goes out of order the Crane Driver himself has the incentive to contact the maintenance office, and it is only coincidental that a Tindal if he happens to be on the spot contacts the maintenance. A Tindal is not concerned with deployment of staff. During night shifts he has to do that job.

28. As regards the Mobile Crane Supervisors, the entire dock area is divided into 4 sections. Each section has a Mobile Crane Supervisor in day time, but in night time only two Supervisors manage the four sections. If in a shift four Supervisors are not available because of absence or other cause the work is carried out by the Supervisors already present, that is to say the Supervisors present, work overtime. According to the witness, since a Supervisor has to look to a vast area, he is unable to effectively guide and control the situation in respect of mobile gear failures, except when he happens to be one the spot, and the Driver needs assistance for location or positioning of the gear. In cross-examination he admits, that the two promotional posts are given on the basis of seniority-cum-merit. He is unable to say whether the post of a Crane Tindal is a promotional post in relation to a 13 tone Crane Driver. However, when a specific instance was cited, he admitted that a Tindal's post is a promotional post even in relation to a 13 tone Crane Driver. The 13 tone Crane Driver's post is usually filled in from the senior scale Driver on seniority-cum-merit basis. The witness was asked about the payment of lump sum arrears of Rs. 900, Rs. 1,000 as well as compensation for containerisation paid in Bombay Port Trust irrespective of the category. He does not whether the premium paid to the workers of different categories under the Bombay Port Trust and the Dock Labour Board was the same. Witness says that there is no separate cadre of Training Master or Training Driver but a Training Driver gets 100 per cent premium, because he is deprived of working as Crane Driver to earn premium. According to the witness, a Mobile Crane Supervisor earns Rs. 300 per month as premium, and a Mobile Crane Driver gets about Rs. 370 per month. Witness admits that a Training Master is not called upon to operate the crane in emergency for the purpose of loading and unloading of cargo, suggestion being that a Supervisor has to work in such emergency. Witness admits that formerly Crane Drivers recommended for light duty on medical advice were asked to impart training and that time they were not paid any premium. In other words, although the job required to do has remained the same formerly no premium was paid to a Training Driver but now it is so paid although he does not take part in operations. That is done possibly on the basis of compensation for loss of premises which would have been otherwise earned. According to the witness, a Morpia or a Hatch Foreman by reason of his duty helps expedite the loading or unloading of the cargo and that a Morpia is a part and parcel of the gang of mazdoors.

29. T. V. Sowrirajan is an Assistant Manager in the Docks Department of the Bombay Port Trust. He is examined as witness No. 2 for the management. He speaks of the duties of the Shed Superintendent, Assistant Shed Superintendent and Labour Supervisor. A Shed Superintendent is a person in the grade of Rs. 675-1187. His duties are on the import side the export side and the general side. On the import side he has to study the cargo summary of the vessel and to see whether there is enough space to accommodate the cargo. He has to re-stack the cargo of warehouse the cargo, if necessary. He has to arrange for necessary gears such as slings, tarpauline, handcart four wheel trucks, etc., and has therefore to assess the requirement of such machines. He has also to assess the requirement of ancillary gangs, in consultation with Labour Supervisor. He also assesses the requirement of daily staff such as Tally Clerks, Delivery Clerks, Sorters, Markers, etc. and place requisition for the same. He earmarks space in the shed for each type of cargo, well in advance at the commencement of the discharging of the cargo. He posts the Tally Clerks on different batches at the beginning of the shift. He has to segregate the valuable cargo and keep them in a secured place such as the lockfast, at the time of discharging.

30. On export side he has to study the programme of export cargo to be loaded and assess the requirement of space in the ship. If there is not enough space he has to make room

in the shed, and has to give calling order to the shippers and regulate the inflow of cargo according to the availability of space in the shed. He has to ensure that mate's receipts are given in time by the Chief Officer, and to check up whether the Port Trust charges are paid.

31. On the general side the Shed Superintendent is the custodian of the goods. He has to see whether any cargo is tampered with or pilfered, and has the responsibility to take suitable action. He has to keep the shed and the surroundings clean and has to arrange for security personnel in the shed. He has to contact the firebrigade or the hospital authorities in case of need, and has to conduct on the spot investigation when a theft takes place.

32. According to the witness, the duties of the Asstt. Shed Superintendent on the import side are to assist the Shed Superintendent in all respects. He has to forward or send the packages for customs examination by verifying the import documents and has to check the import documents before allowing delivery. He has also to see that the proper person takes delivery. He is responsible for warehousing of the goods. He has to attend to general correspondence and prepare a daily statement of the cargo discharged or loaded.

33. On the export side an Asstt. Shed Superintendent has to maintain cargo register for the cargo brought inside the Dock and has to compare it with the cargo register at the gate. He has also to see that mate's receipts are given in time and has to check up whether the cargo brought in is actually loaded, and has to prepare shut-out report. He has to part with mate's receipts after collecting the shipping bill. His salary scale is Rs. 500-1018.

34. The duties of Labour Supervisor are to advise the Shed Superintendent the type of gear required for handling the import cargo. He has to check up whether the necessary mobile gear has arrived in time and also to check up whether safety equipments for handling hazardous cargo are available in the ship. He has to collect the duty slips of the mazdoors and mark their attendance in the duty slips and then post them on the books. He has to guide the labourers on the type and capacity of slings. He has to render first aid to the injured mazdoors, and in case of stoppage of work to inform the supervisors immediately. He has to see that the cargo does not block chutes, gullies, etc. His salary scale is Rs. 500-1018.

35. The witness also gives the duties of Morpia. He is fixed to a particular gang and is the leader of the gang as well as the spokesman for the gang. He has to be present at the booking hall and check up whether all the members of the gang are present, and to make up shortage in manpower. He has to check whether all the handcarts are available whether they are lubricated and to guide the gang members regarding the adjustment of the slings, positioning of the package, etc. He has to resolve any skirmish on the spot. He has to arrange for facilities of drinking water, etc. He has to alert the Labour Supervisor if there is any wrong booking or suspicion of over loading. His salary scale is Rs. 360-558.

36. So far as Tally Clerks are concerned, according to the witness they are required to be matriculates or having equivalent qualifications. The duties of a Tally Clerk are to maintain tally for the packages loaded and discharged on the wharf. Witness says that when bulk cargo is loaded or discharged on the vessel, excluding iron scrap, the Dock Labour Board Tally Clerk is posted, Bombay Port Trust Tally Clerk is not posted. Similarly, for discharging cargo on the barge in mid-stream, Bombay Port Trust Tally Clerks are not posted. The Tally Clerks' scale of pay is Rs. 425-741.

37. In cross-examination he does not admit that the Shed Superintendent, Asstt. Shed Superintendent or Labour Supervisor do not take actual part in cargo handling. He does not know whether a Crane Tindal could be called a gang leader like Morpia, but he admits that he has also to arrange for drinking water facilities etc. He admits that it is a promotional post. Witness admits that Morpia always earns more than a shore mazdoor. He does not admit that Morpia does not do any manual work. He admits that when cargo discharged in barges, is brought to the wharf it is tallied by the Tally Clerk of the Bombay Port Trust alone. He pleads ignorance when asked if graduates and double graduates are working as Tally Clerks in the Bombay Port Trust and that non-matriculates are working as Tally Clerks in the Dock Labour

Board. He admits that when there is a shortage of Tally Clerks those already on duty are continued in the next shift. He admits that the tally sheets maintained by Tally Clerks of Bombay Port Trust are very authentic and are used for preparing piece-rate premium as well as for claims regarding shortage shortlanding and missing cargo. Witness admits that a Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor do not physically handle the cargo or play any part in operating wharf cranes. It has been put to the witness that a lot of paper work or table work is required to be done by the Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor and that they are required to deal with consignees and shippers in which lot of time is spent. There are different Asstt. Shed Superintendents on the export side and import side. Usually as Asstt. Shed Superintendent export side is promoted on import side, and the import side Asstt. Superintendent has to look to both the work.

38. Witness No 3 for the management is George William Lewis, who is working as the Chief Administrative Officer under the Dock Labour Board. After listing the categories of workers totally employed by the Dock Labour Board he refers to the duties of the Hatch Foreman as given in Exhibit W-2. The Hatch Foreman stands on deck next to the hatch opening and looks into the hold and signals to the Crane Driver to hoist or lower a sling into the hold or out of the hold. A gang consists of one Tindal and 7 Mazdoors who prepare slings in the hold for discharge by the Bombay Port Trust Crane. A Tindal remains in the hold supervising the work of 7 workmen. The Hatch Foreman signals to one crane only. Hatch Foreman and the Mazdoor have the same pay scales. Tindal gets more. All of them are paid incentive premium. The scheme is the same for the Port Trust and the Dock Labour Board. The stevedore foreman supervises the work of all the Hatch Foremen working on the vessel. He gets 50 per cent of the average premium. His duties are to distribute the gang to the various hatches on board the vessel and to look to the safety of the ship and the cargo. The Chargeman gets 40 per cent of the average premium. Tindal's duties are as stated in the Bombay Dock Workers' Regulation Scheme, 1956 on page 469-470(a) to (s), copy attached as Exhibit E-8 to our record. To put them in nutshell, he being in-charge of the workmen, has to see that the loading and unloading operations are properly done that is to say that the sling used is of proper size, it is filled properly, hoisted properly so that it is not fouled or does not damage any part of the ship and that operations are carried out with an eye to safety of all concerned and where necessary under the instructions of the stevedore foreman.

39. Regarding Tally Clerks, witness says that usually the Tally Clerks of the Dock Labour Board and of the Bombay Port Trust work side by side at every hook on the shore. For cargo to be discharged in mid-stream and in barges only the Dock Labour Board Tally Clerk is posted. He also admits that when such cargo is again to be off loaded at the shore the Bombay Port Trust Tally Clerk alone is posted. According to the witness, S.S.C. pass is the minimum qualification for a Tally Clerk in the Dock Labour Board. But, by reason of the 1956 scheme to absorb the Tally Clerks then working with various stevedore firms, at present a good number of non-matriculates are also doing the work of Tally Clerks. Witness speaks of the payment of Rs. 1,000 as arrears given to the Tally Clerks of the Dock Labour Board for the period 1-3-1979 to 7-12-1979. According to him, the manshifts were worked out and therefore the average of a few representative Tally Clerks was determined which was rounded off to Rs. 1,000.

40. In cross-examination he admits that earlier arrears of Rs. 900 were paid to the Tally Clerks of the Bombay Port Trust and the Dock Labour Board under the settlement exhibit E-2 although that time also according to the witness, Dock Labour Board Tally Clerks were having more turns than the Bombay Port Trust Tally Clerks. He admits that on another occasion also such arrears were paid equally and that compensation for containerisation was also paid equally. According to the witness, piece-rate earnings would differ from man to man and even from shift to shift for the same man. Witness admits that workers recommended for light work are in some contingency posted as Hatch Foreman, and even such Hatch Foremen get piece-rate premium like other Hatch Foremen not recommended for light duty. But, witness says that such recommended persons are posted after the regular Hatch Foremen are booked and therefore their turns are often less

than the turns of the regular Hatch Foremen. However, witness says that this distinction was not observed while paying the arrears, that is to say for payment of arrears their deficiency was ignored.

41. Witness admits that stevedore foremen and stevedore chargemen who are getting 50 per cent and 40 per cent of the average premium do not physically carry out the work. He says that Tindels and Hatch Foreman also do not physically prepare the slings. He pleads ignorance if the Bombay Port Trust Tally Clerks are having more turns. According to the witness, when the amount of Rs. 1,000 was worked out actual premium of selected Tally Clerks for selected months was taken. Actual calculations for all the months of any clerk were not made.

42. Witness No. 4 for the management is the Secretary of the Bombay Port Trust, Ramchandra Upendra Pai. After narrating the history of the piece-rate scheme which has been noted in the introductory part of this Award, he says that the piece-rate scheme for Crane Tindels and Mobile Crane Supervisors was devised on the basis of the criteria recommended by the Inter-Ministerial Committee, that is to say on the basis of the out put of Wharf Crane Drivers whose work come under the Crane Tindels or Mobile Crane Drivers in the case of Mobile Crane Supervisors, and on the rates of piece-rates applicable to supervisory categories viz. Shed Superintendent and Labour Supervisor, to whom piece rates were extended on the recommendation of Shri Rammoorthi Committee and Asstt. Shed Superintendent to whom the piece-rate was recommended on the basis of Inter-Ministerial Committee, as also their relative scale of pay. Accordingly, the scheme envisaged payment of piece rates to Crane Tindels only when the out put of Wharf Crane Drivers who come under their charge exceeded 200 per cent of the norm of performance prescribed for Wharf Crane Drivers. There were different rates provided for when output exceeded 200 per cent, when it exceeded 250 per cent, and 300 per cent. The rates applicable to Crane Tindels were fixed at a lower rate than those applicable to Shed Superintendents and Asstt. Shed Superintendents and Labour Supervisors taking into account the recommendation made by the Inter-Ministerial Committee, as Shed Superintendents, Asstt. Shed Superintendents and Labour Supervisors were on higher scales of pay than the Mobile Crane Supervisors or Crane Tindels. In the case of Mobile Crane Supervisors as their supervision extended not merely to Mobile Crane Drivers working in conjunction with the Wharf Crane Drivers but also of Mobile Crane Drivers employed on non-piece rate such as warehousing cargo and consignees work, it was decided that they should get piece rate at 75 per cent of the piece rate earned by the Crane Tindels. The piece rate scheme so evolved has been with full consultation and written consent of the Bombay Port Trust Employees Union. The letter embodying this has been shown to the Union before placing it before the Board.

43. Witness further says that there was a settlement regarding revision of pay and allowances of all port employees pursuant to the Wage Revision Committee's report. The settlement is of 14-7-1977. One of the clauses of the settlement envisaged revision of piece-rate schemes as also extension of piece rate schemes to new categories to be discussed between the employers and the Unions. Discussions were accordingly held with the Unions and an agreement reached regarding the revision of piece rate schemes. The agreement so reached on 20-2-1979 covered various categories who were already under the piece-rate or incentive scheme. The agreement does not specifically cover the categories of Crane Tindels and Mobile Crane Supervisors. There was discussions with the Bombay Port Trust Employees Union and some proposals covering inter alia Crane Tindels and Mobile Crane Supervisors were made to the Bombay Port Trust Employees' Union. Witness says that he understands and he is saying this because he has handled this stage of the case himself that these proposals were rejected by the Bombay Port Trust Employees' Union.

44. Witness continues that some time Dr. Ray made some proposals concerning inter alia Crane Tindel and Mobile Crane Supervisors and called for comments of the Unions. Union's written reply accepting these comments was received only in November, 1980, and what he proposed is only a statement for comments and not given any offer. When this matter was placed before the Board Dr. Shanti Patel, a Trustee contended for the adoption of Dr. Ray's proposal. According

to the witness, since the proposal did not confirm with the Inter-Departmental Committee's recommendations particularly in observing the ratio between the pay scales it could not have been accepted.

45. In Cross-examination the witness pleads ignorance if as a result of a policy to recruit Scheduled Castes/Scheduled Tribes workers young Crane Drivers have become Tindels or Mobile Crane Supervisors. This question was put to disprove the suggestion that promotees are advanced in age and find it difficult to operate the cranes and also to show how young recruits have to pass their long career with meagre incentive. Witness avoids making any comparison between the pay packet of the Crane Tindels and Wharf Crane Drivers and Mobile Crane Supervisors and Mobile Crane Drivers, inclusive of the piece-rate earnings, by saying there are differences in the working of the Crane Drivers and the Crane Tindels and Mobile Crane Supervisors. The piece-rate earnings depend on the number of Drivers, their rotation between piece-rated and non-piece rated work and difference in the available volume of work as between Hydraulic Establishment, Indira Dock and Hydraulic Establishment, P&V Docks. He admits that in the P&V Docks, earnings of Crane Tindels are less than those of Wharf Crane Drivers. He also justified granting of full average to Training Drivers who do not operate the cranes during the training, on the basis of it being compensation and not an earning.

46. Witness further says that he is not aware whether the scheme embodied in the letter exhibit E-4 by Dr. Ray was formulated in consultation with the Bombay Port Trust Employees' Union. He agrees that even prior to the letter of acceptance of November, 1980, the Bombay Port Trust Employees Union had indicated its acceptance of Dr. Ray's proposal. "Further examination" contemplated in para 7 of exhibit W-3 which is the plea on which the suggestion embodied in Dr. Ray's letter was withdrawn, was done, as per the say of the witness, when the Bombay Port Trust Employees' Union representative discussed the matter with the Chairman and the Secretary of the Board i.e. witness himself by about September/October, 1980. During the discussion it was indicated to the Bombay Port Trust Employees' Union that Port Trust proposed to place before the Board what it considered a proper scheme for Crane Tindels and Mobile Crane Supervisors. Prior to September, 1980 Port Trust did not indicate to the Union that there would be modification or withdrawal in respect of Crane Tindels or Mobile Crane Supervisors.

47. Regarding Tally Clerks the witness says as follows:—

"30. Tally maintained by the Tally Clerks of BPT is authentic and serves the basis for piece-rate payment to be made to the persons working under the Dock Labour Board. I do not know if in view of the above position the tally maintained by DLB is redundant. For the period 1-4-1978 to 20-2-1979 towards arrears Rs. 900 were paid to each of the Tally Clerks working under the BPT as well as under DLB. This was irrespective of number of shifts worked by them. I do not know whether it will be discrimination to pay different amount to Tally Clerks under the DLB and under the BPT for the period 1-3-1979 to 7-12-1979. Since I do not know the circumstances, I cannot say whether paying the DLB Tally Clerks more is justified. The Tally Clerks of BPT were not paid by making actual calculation for the period 1-3-1979 to 7-12-1979 because the actual calculations of certain sample cases which were worked out, showed that it would amount to only about Rs. 600 per head. It is not correct to say that as a matter of fact actual piece-rate earnings for the concerned period were not counted in respect of even a single Tally Clerk.

In short, he supports the case of the Union that the Tally Clerks of the Bombay Port Trust do authentic and more important work, actual calculations are stated to be intricate and that in the past Tally Clerks of the Bombay Port Trust and Dock Labour Board were paid equal amount as arrears.

48. Witness pleads ignorance when questions are put stating that the total pay packet of the promoted workers is much less in comparison to the inferior workers because of the earnings on the incentive premium. He also pleads ignorance when specifically asked that present piece-rate earnings of 13 tonne drivers are much more than the piece-rate earnings of Crane Tindels.

49. The dispute in this case relates to the percentage of average premium to be granted to the two categories, the Crane Tindels and the Mobile Crane Supervisors as well as the amount of lump sum arrears to be received by the Tally Clerks for the disputed period 1-3-1979 to 7-12-1979. The scheme for incentive premium was first recognised in the Award passed by the Labour Appellate Tribunal in the year 1956. At that time Wharf Crane Drivers and Morpias were both covered by piece-rate incentive based on their output. The work of both these categories of persons is complimentary to each other either while loading the cargo or while unloading it. Morpia works along with the gang of Mazdoors who prepare the slings to be hauled up or down and Morpia is undoubtedly their mouth piece as the word itself suggests. The Wharf Crane Driver sits high above operating the Hydraulic Crane. His work is to hoist the slings up and then to lower them down so that a sling rests at the desired point. For a long time Morpia has been looked upon as an inseparable part of the Mazdoors with whom he works and over whom he keeps his all round eye. Exhibit W-1 which is an extract from page No. 161 of form 'C' Question No. 8 of the Bombay Port Trust shows Morpia as a skilled workman with supervisory occupation. He is therefore looked upon as supervising the work of shore Mazdoors. In view of it, it would be futile to content that a Morpia does not belong to the supervisory category of workers as was sought to be done by Mr. Bhatkal although in fairness it could be said, that the expression 'Supervisor' does not fully connote the duties performed by him.

50. It was in the year 1960, by reason of the recommendations of the Tripartite Committee, that the Tally Clerks also working on the shore and the Mobile Crane Drivers were included for granting piece-rate premium. Exhibit-9 is the tally sheet used by the Bombay Port Trust. It shows the work expected of a Tally Clerk. Standing at some distance from the sling he notes the particulars embodied in Exhibit-9. He is thus directly associated with the operation of loading and unloading the goods keeping a record of what happens in front of him. A Mobile Crane Driver comes in the picture when cargo on the shore is required to be shifted. The gear he uses, is mobile that is to say it moves unlike the Hydraulic crane which is static at a place but otherwise he also operates a vehicle like a Crane Driver, for the removal of the goods.

51. The question of extending the piece rate incentive to more categories has often been discussed. Ramamoorthi Committee was formed for that purpose on 2-7-1971, but unfortunately, no decision could be reached. However by reason of the settlement dated 2nd February, 1974, evidenced by Trustees Resolution No. 75 of 1974 Exhibit. E-6 Chairman Ramamoorthi's recommendations were accepted. Accordingly, Shed Superintendents and Labour Supervisors were recommended for granting the piece-rate incentive. It may be noted that the work of a Shed Superintendent as given in details by Shri Sowrirajan witness No. 2 for the employers consists in managing the accommodation in the shed, adjusting cargo removing it if necessary, or storing the same in the warehouse when necessary. Shed Superintendents, Asst. Shed Superintendents or Labour Supervisor do not operate any gears or do not toil sweat for removing the goods as is the case of Mazdoors. Their duties therefore consist of doing something which is usually done by a white collared employee. They are essentially from the administrative field and not from the technical side. The settlement inter alia provided for payment of Rs. 1000/- without reckoning actual work, to each concerned employee as arrears in one lump for the period 1-1-1972 to 31-1-1974. That settlement also envisaged an appointment of Inter-Departmental Committee for purposes of further extending the benefit of the piece-rate incentive.

52. It is important to notice that between the time the recommendations were made and the settlement was arrived at new categories were formed in the year 1972. As the Secretary Mr. Pal witness No. 4 for the management says that appears to have been done for providing promotional channels to the persons working on the gears. The post of a Crane Tindel, moving from section to section and looking to the smooth working on several Hydraulic cranes operated by Crane Drivers and the post of a Mobile Crane Supervisor going from section to section and as Shri Gondhalekar witness No. 1 for the employers says taking a

round of nearly 1½ miles, looking after the work done by Mobile Crane Drivers in his charge, were created. Obviously these two posts have linkage with their parent cadre, the vehicle Drivers, and therefore the salary scheme shows higher pay scales for these two employees qua the employee from which these persons are recruited viz. the Hydraulic Crane Driver and the Mobile Crane Driver. The report of the Inter-Departmental Committee recommends suitable grant of piece-rate incentive for these two categories as well as the category known as the Asstt. Shed Superintendent. The last of it as the name shows is an employee assisting the Shed Superintendent that is to say in doing the duties which are connected with the management of the sheds. They are amply given by witness No. 2 for the management Mr. Saurirajan.

53. July, 14 1977 is the date of which a settlement took place between the Government of India and the Federations of the Port and Dock Workers on various matters. Clause (p) of that settlement as would be seen from the opening paragraph of Exhibit E-2 provided for review of the schemes for payments by results, and for its revision. Bearing on this aspect are the two documents Exhibit E-1 which culminates into Trustees' Resolution No. 24 of 24-1-1978 and Exhibit E-2 which is based on the settlement dated 28th February, 1979 ratified by Trustees' Resolution No. 75 of 27-2-1979. Exhibit E-1 specifically refers to paragraph 11 of the report of the Inter-Departmental Committee to examine the demands for extension of piece-rate and incentive scheme. Crane Tindels and Mobile Crane Supervisors prominently come in that resolution. Inter-Departmental Committee desired a relation between the scheme and the output of Wharf Crane Driver and also recommended to take into account, the rates applicable to other supervisory categories, their relative scales of pay and other relevant factors. The Inter-Departmental Committee does not seem to have precisely determined the field of the interaction of these three tests. The results of the application of each of the three tests is conflicting and that is exactly why the present tangle has arisen. Other supervisory cadres are not mentioned in the Committee's report. Other relevant factors is an expression which would cover a number of things. Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor are cited in the resolution No. 24 of 24-1-1978 to be the supervisory categories enjoying the benefit of the incentive scheme. At that time however the incentive was given in terms of a fixed amount and the datum for qualifying for the additional payment was fixed at 200 per cent of the average output. Increasing payments were provided for the output being 200 per cent or 250 per cent or over 300 per cent of the average. For the Shed Superintendent then having pay scale of Rs. 310—510 the incentive was Rs. 2, Rs. 4, Rs. 5 respectively for the three types of outputs. Those figures for the Asstt. Shed Superintendent or the Labour Supervisor having then the pay scale of Rs. 190—415 were Rs. 1.50, Rs. 3, Rs. 4 respectively for the increasing output. For the Crane Tindel these figures were put at Rs. 1.25, Rs. 2.30 and Rs. 3.50 per shift with the idea of bearing the same proportion as the scale of pay of Crane Tindel, to the rates prescribed for Shed Superintendent, Asstt. Shed Superintendent and the Labour Supervisor. It has been stated in para 5 of Exhibit E-1 that the work turned out by the Mobile Crane Driver is less than the work turned out by the Wharf Crane Driver and therefore the premium of Mobile Crane Supervisors was fixed at 75 per cent of the premium payable to Crane Tindels of the shift. Exhibit-1 mentions that such premium was payable to Crane Tindels and the Mobile Crane Supervisors from 26-6-1975. However, for a long time, the Crane Tindels and Mobile Crane Supervisors did not receive the premium. Exhibit E-4 is the settlement dated 28-5-1980, revolving the question of payment of arrears from 26-6-1975 to 28-2-1979, and deciding to make further payments from 1-3-1979 as per calculations. The arrears were given in one lump without any calculations and each concerned party was treated alike so that a Crane Tindel got Rs. 600/- for arrears and a Mobile Crane Supervisor got 75 per cent of it viz. Rs. 450/-.

54. Earlier than 28-5-1980 a settlement dated 28th February, 1979, evidenced by Exhibit E-2 had taken place and the rates of premium were revised. The settlement also allowed a lump sum payment of Rs. 900/- as arrears to all concerned irrespective of the calculations for the period

1-4-1978 to 28-2-1979. The settlement speaks in terms of the performance above datum tonnage in a shift for earning the incentive premium and not 200 per cent of the output. The Crane Tindels as well as the Mobile Crane Supervisors were also paid a sum of Rs. 900 each for arrears. Between the Crane Tindel and Mobile Supervisor heretofore a parity is recognised ignoring the lesser amount of 75 per cent to be paid to the Mobile Crane Supervisor. According to the settlement Shed Superintendents attached to a Shed where loading and unloading operations of the vessel are carried out were to receive premium equivalent to 50 per cent of the average piece-rate earnings above the datum of shore workers engaged at different hooks of vessel which would come under their supervision in their shift. The Asstt. Shed Superintendent and the Labour Supervisor get on the same conditions, but the incentive was fixed at 40 per cent. Incentive payment for Tally Clerks is expressly stated to be under revision and that revision took place, under Exhibit E-3 dated 7th December, 1979. Roughly speaking a Tally Clerk was to get 60 per cent of the average of piece-rate earnings above the datum of the shore workers of the hooks at which the Tally Clerk is engaged. The settlement does not speak of the rates for Crane Tindels and Mobile Crane Supervisors. All these stages appear very nicely expressed in Exhibit W-3 culminating into Trustees resolution No. 370 of 23-12-1980 whereby the dispute was left for Arbitration.

55. It is in the meantime that the question of arrears payable for the period 1-3-1979 to 7-12-1979 cropped up, and the Tally Clerks were concerned in it. As Exhibit E-5 the settlement dated 30th September, 1980, shows that the matter was sought to be solved on the usual pattern of giving a lump sum for the arrears. This time however Rs. 750/- is the figure estimated by the management for the concerned period while a sum of Rs. 1,000/- is demanded by the employees, saying that the actual amount would be more than that and when the Tally Clerks working under the Dock Labour Board have been given Rs. 1,000/- as arrears in lump sum for the aforesaid period there is no reason to give less to the Tally Clerk of the Bombay Port Trust.

56. Exhibit W-3 relates to the revision of premium Scheme concerning of Crane Tindels and Mobile Crane Supervisors. The subject was discussed in the meeting of the Board of Trustees on six different days and every time we come across a note of the Secretary. The first note of 19th November, 1980, cites the recommendations of the Inter-Departmental Committee deciding to bring Crane Tindels working on the Wharf under a suitable incentive scheme related to the output of the Wharf Crane Driver whose work they supervise, and to bring the Mobile Crane Supervisor under a suitable incentive scheme related to the work done by the Wharf Crane Driver. The Committee has recommended to keep in view the rates applicable to the supervisory category the relative scale of pay and other relevant factors. The note thereafter refers to the Resolution No. 24 of 28th January, 1978, granting a revised amount to the Crane Tindels and 75 per cent of the same to Mobile Crane Supervisors. Reference is also made to the payment of arrears by the settlement dated 28-5-1980, and to the settlement of 20-2-1979 allowing payment of other arrears of Rs. 900/-. The note also refers to the switch over from fixed sum to percentage for incentive payment and to the basis output in excess of 100 per cent and not 200 per cent. After mentioning about the discussion with Unions it is recited that Dr. Ray, Director (Planning and Research) sent a letter No. DPNR/377 dated 10th July, 1979, Exhibit W-4 sending the scheme for comments. It is particularly stated in the note that the letter was no offer from the management. The letter refers to the 50 per cent and 40 per cent incentive premium sanctioned in the case of Shed Superintendent and Asstt. Shed Superintendent as well as Labour Supervisor and thereafter it proceeds to say:

'The schemes now suggested for payment of premium to Wharf Crane Tindels and Mobile Crane Supervisors will substantially increase the earnings of these categories by way of premium. In view of this, it is suggested that following additional duties may be added to the list of duties of these categories.

- (1) Mobile Crane Supervisor will take over vehicles from outgoing drivers

- (2) Crane Tindel will relieve the Crane Driver in case of emergency and in such a case he will be paid piece-rate as per the scheme applicable to Crane Driver, pro-rata for the period of relieving duty.

A list is attached herewith as appendix 'A' giving duties of Wharf Crane Tindels and Mobile Crane Supervisors.

The suggestion as it is styled in this letter, is without doubt for the grant of 100 per cent of the average of the piece-rate earnings above the datum of the Wharf Crane Driver to the Crane Tindels and 100 per cent on the output of the Mobile Crane Drivers to the Mobile Crane Supervisors. This effects a direct link with the post from which persons in the superior category are promoted and the payment is equivalent to the average of the earnings of the inferior category.

57. Now the management recedes from the position of granting 100 per cent average premium. The modified proposal given by the management is in paragraph 7 of Exhibit W-3 and it runs as follows:

"On further examination, however, it is felt that the schemes for Crane Tindels and Mobile Crane Supervisor should broadly follow the same pattern as that adopted for other supervisory categories like Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor. On the same basis, as adopted for Shed Superintendents, Assistant Shed Superintendents and Labour Supervisors, it would therefore be appropriate to prescribe that the incentive premium should accrue to Crane Tindels, when the output of Wharf Crane Drivers, whose work comes under their supervision, exceed 100 per cent of the datum and that they should get as incentive premium an amount equal to a suitable percentage of the piece-rate earnings above the datum of Wharf Crane Drivers whose work come under their supervision. It is accordingly proposed that Crane Tindels attached to a section where ships loading and unloading operations were carried on should receive an incentive premium equal to 50 per cent of the average piece-rate earning above datum of Wharf Crane Drivers whose work come under their supervision.

58. Paragraph 8 shows that the payment of premium to Mobile Crane Drivers was similarly linked directly with the premium of Mobile Crane Supervisors and the percentage proposed was 50 per cent.

59. The original suggestion put for comments in Dr. Ray's letter would undoubtedly have increased the premium incentive in a very large measure and that could be the reason to propose additional duties viz., to take over the vehicles or relieve the Drivers in emergency. The same duties are proposed now also and by saying that 50 per cent incentive would increase the earnings substantially. Resolution for the meeting of the Board of Trustees was proposed in that manner. However Dr. Shanti Patel one of the Trustees took objection to the proposed modification. It may be of interest to note in this connection that although the Bombay Port Trust Employees' Union representing the superior category of Crane Tindels and Mobile Crane Supervisors appears to have received Dr. Ray's letter soon after 10th July, 1979, till November, 1980 the Union had not sent the reply accepting the suggestion. As against this, the other Union viz., the Bombay Port Trust General Workers Union representing the Mobile Crane Drivers and Mazdoors has spoken about the acceptability of the schemes pertaining to them immediately after such a letter was received. In this connection cross-examination of Shri Pai the Secretary to the Board examined as witness No. 4 for the management is relevant. He says "further examination", stated in the opening line of paragraph 7 of Exhibit W-3 was done when the Bombay Port Trust Employees' Union representatives discussed the matter with the Chairman and the Secretary namely he himself by about September/October, 1980 and that prior to September, 1980 Bombay Port Trust did not indicate to the Union that there would be modification or withdrawal of the suggestion given by Dr. Ray. He has also deposed that even prior to the letter of acceptance of November, 1980 the Bombay Port Trust Employees' Union had indicated its acceptance of Dr. Ray's proposals. It is therefore

clear that till September/October the proposal was on the anvil, and when its withdrawal was probably in the offing that in November, 1980, the acceptance was intimated in writing by the Bombay Port Trust workers Union. Witness pleads ignorance when asked whether the scheme itself was suggested by Dr. Ray after discussion with the Bombay Port Trust Employees' Union.

60. In replying to the accusation that the Bombay Port Trust administration wanted to go back on the written commitment, in the meeting dated 9th December, 1980, the Chairman explained that he was not on the scene and when the proposal was discussed with the Unions he found that the proposal had not followed the principle already accepted in the case of other supervisory category like Shed Superintendent and Asstt. Shed Superintendent. He cautioned that there would be serious repercussions although he was aware that the Bombay Port Trust administration had involved itself in giving piece-rate premium not only to the basic workmen but to the supervisors also.

61. Dr. Shanti Patel's note for discussion in the Board meeting covers almost all the points which are now pressed by the Union viz. that the duties of the Crane Tindels justify the proposal of giving 100 per cent premium, there is interchangeability between the Crane Drivers and Crane Tindels, like Morpia and Hatch Foreman, a Crane Tindel must be treated as a part and parcel of the team of Crane Drivers, the radius of operation of a Crane Tindel justifies the proposal for 100 per cent premium, Crane Tindels and Crane Supervisors are promotional posts so that the total emoluments of a promotional post must not be less than the total emoluments of the lower post and that since a junior Crane Driver who is posted on training duty and therefore not doing the manual work expected of a Driver is given 100 per cent premium the employee in the Supervisor post not doing as much manual work as the driver should also be entitled to 100 per cent premium. According to him the comparison with the supervisory categories of Shed Superintendent was uncalled for and the comparison if any could be with Morpia or Hatch Foreman.

62. According to the Chairman, the Morpia or Hatch Foreman are really workmen, not supervisors and therefore there would be no comparison of the categories with which we are concerned with these categories. Thereafter sub-committee of two Trustees was formed to resolve the matter but both took different view. One member was of the opinion that the offer was accepted by the Union in toto, the comparison with Morpia was quite appropriate in as much like Morpia the two categories came from the rank of shore workers and that without 100 per cent premium the total emoluments of the promotional post would be less. The comparison with Morpia and Hatch Foreman was not appreciated by the other Trustee member and ultimately when the matter could not be solved at discussion level and also at the Trustees level, the Arbitration has been proposed.

63. A Morpia comes from the gang of mazdoors has the know-how of preparing the slings and putting them in correct operation and also looks to all the preliminaries before starting the actual work. But except possibly in emergencies he does not involve himself in the manual work of loading/unloading or lifting the goods. There he acts like a Supervisor. A Hatch Foreman also does not involve himself manually in lifting or loading the cargo, but he sees that the work is done by his fellowmen smoothly and there he contributes by giving signals while the load is hoisted or lowered. The present pay scales of a Morpia is Rs. 360—558 and of a Hatch Foreman is Rs. 340—497. As against this, the pay scales of a Wharf Crane Driver and Mobile Crane Driver are slightly higher. The Wharf Crane Drivers are divided in three groups according as they operate the crane of 30 and 35 hundred weight or 3 and 6 ton or 5 and 6 ton. There is also a 12 ton Crane Driver who by reason of that gets entitled to higher piece-rate premium. Roughly speaking the Wharf Crane Drivers whether working on a Hydraulic Crane or whether working on an Electrically operated crane have the scale of Rs. 425—741 with the selection posts in the scale of Rs. 450—703. The basic pay scales of the superior promotional categories appear to be only slightly higher in as much as the pay scale for either the Crane Tindel or for the Mobile Crane Supervisor (Operative) is Rs. 480—871.

64. Witness No. 2, Mr. Saurajan for the management has given the pay scales of the Shed Superintendent as Rs. 675—1187, Asstt. Shed Superintendent Rs. 500—1018 and of Labour Supervisor the same viz. Rs. 500—1018. A Shed Superintendent gets 50 per cent of the average premium incentive and the other two get 40 per cent. What is proposed for the Crane Tindel or the Mobile Crane Supervisor is 50 per cent of the average of the Crane Drivers. This shows that the Shed Superintendent is in a much higher scale than the Crane Tindel and the Mobile Crane Supervisor.

65. Witnesses on either side repeat the factors canvassed in the board meeting. Inter-Departmental Committee envisaged the grant of piece-rate incentive not only in terms of pay scales but also in relation to the rates applicable to other supervisory categories and above all other relevant factors. Mr. Bharti in his argument pressed that Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor are supervisory categories, Morpia and Hatch Foreman are not supervisory categories. According to him, the Crane Tindel and Mobile Crane Supervisor are supervisory categories. Therefore, the case of the later mentioned should be looked upon not on the lines of Morpia and Hatch Foreman, but as in the case of supervisory categories granting them less than 100 per cent premium. According to him, the proposed premium of 50 per cent is very high. As against this, Mr. Shetye for the Bombay Port Trust Employees' Union contended that since the duties of the Shed Superintendent, Asstt. Shed Superintendent and Labour Supervisor are absolutely different the principle for granting them a portion of incentive premium should not at all be mixed with the principle of granting incentive premium to the disputed categories. They come from the rank and file of real toiling workers, even among them a Hatch Foreman who does a very light work on the Morpia who is almost doing nothing except keeping an eye on the work gets 100 per cent premium so that the case for granting 100 per cent average premium to the disputed categories is stronger.

66. Making laboured comparisons is apt to put us in confusion. It looks clear that a Hatch Foreman working on board the ship or the Morpia working on the shore belong to the low paid workers like the Mazdoors. The Mazdoors whether inside the ship or out on the shore work in a group or a team, and there cannot be any denial that Hatch Foreman and the Morpia very much belong to that group. At the same time, it cannot be denied that the real strenuous toiling work is done by the Mazdoors whereas Morpia getting higher pay can almost afford to keep his clothes unsullied in spite of remaining stationary near the gang and observing the work done by his group. In comparison to the strenuous work done by Mazdoors in the hold the work done by Hatch Foreman is definitely light and easy. Perhaps intelligence factor comes in while estimating the work of a Hatch Foreman. Even ignoring the description of a Morpia as in supervisory occupation as shown in Exhibit W-1, by the Port Trust Authorities themselves, it is clear that Morpia and Hatch Foreman do get 100 per cent incentive premium although they do not toil or exert themselves as much as the Mazdoors. This seems to be proceeding on the logic that members of a group should be treated equally.

67. Corresponding to the Mazdoors is the work done by the Crane Drivers in handling the cargo. Their's is the technical side, they possess the know-how of the operation of the vehicle, and they would also naturally have the anxiety to do optimum work for earning optimum premium. They toil and sweat and are eligible for 100 % premium incentive. They get higher pay than the Mazdoors, but their duty is also different and is connected with machines and therefore they could be called truly as skilled workers. Now, it looks important to me that the Crane Tindels and the Mobile Crane Supervisors are drafted from among these very persons. It may have been as stated by the Secretary, witness No. 4 for the management, that the two categories were created to give an opening to the Crane Drivers. Obviously, it was considered legitimate for the Crane Drivers to expect a further rise in their emoluments commensurate with their seniority and merit. The two posts are promotional posts, with pay scales higher than the scales of the Drivers. Crane Drivers and their superiors going round from crane to crane and keeping an eye on the over all out turn may not be forming one group similar to the group led by Morpia or the group in which Hatch Foreman work. It cannot be denied that there is some compactness between the Crane Drivers and the employees holding the superior posts, and having the same

know-how as the Drivers. At any rate, they are not as dissimilar as a Shed Superintendent or Asstt. Shed Superintendent or a Labour Supervisor would be not only in work but also in terms of the original recruitment. The latter cannot be said to be technical personnel whereas the supervisory category of Crane Tindels or Mobile Crane Supervisors is undoubtedly a category of technical men. They get the posts after showing the merit in that line and therefore their potential worth cannot be lost sight of. It would be legitimate for them to expect that when they earn promotion their pay should be more than what they would have received had they not been promoted showing their merit and utilising their seniority. If that does not happen there will be total absence of any incentive to go to these promotional lines, and there will be a stalemate, giving rise to industrial unrest. This ought not to be the result.

68. While deliberating on the subject of exceptions to the test of actual toiling for obtaining 100 per cent incentive premium we can consider the case of the Training Drivers. A Training Driver unlike in the past when persons recommended for light duty on medical advice were given that work, at present has the potentiality to work as a Driver and to earn like other drivers, the piece-rate incentive amount. When he works in training the Drivers he certainly does not toil and strain as his counterpart does in operating the gears, but he gets 100 per cent premium without actually working. It could be said as the Secretary has said that he does not get the incentive premium, but he gets compensation equivalent to the average incentive premium. Apart from the fact that this has not been put so clearly on record while giving him that premium, the result is more important which shows that those having the capacity to earn the premium and who for some valid reason are kept away from it should be considered for granting substantial premium. This principle cannot be lost sight of while considering the case of Crane Tindels and Mobile Crane Supervisors, in contrast with the category of Shed Superintendents, etc.

69. The Inter-Departmental Committee refers to the supervisory categories and their pay scales, thereby implying that the higher pay scale personnel should not get prejudiced by granting incentive premium to the inferior category. By reason of the 50 per cent incentive payment allowed to the Shed Superintendent and 40 per cent to the Asstt. Shed Superintendent and Labour Supervisor it has been emphatically argued that Crane Tindels and Mobile Crane Supervisors whose pay scales are lower than that should not be able to upset the balance which it is feared would be done by granting them 100 per cent premium. The argument is very attractive. But in the contingency in which we are placed we cannot also ignore that considerations of higher pay for the promotional posts are not far different. The principle of not prejudicing an incumbent in the higher pay scale by reason of the grant of incentive premium would also apply when the total pay packet between the Crane Driver on the one hand and the superior category on the other hand differs to the prejudice of the superior category. It has been affirmately stated on oath by the two witnesses for the workers that the pay packet varies to a large extent. The witnesses on behalf of the management, witness No. 1, Ramesh Vinayak Gondalekar and the Secretary, witness No. 4 pleaded ignorance. That however appears to be a cautious reply. Although the chart at Exhibit 11 giving the actual earnings of piece-rate incentive in respect of the Mobile Crane Driver and Mobile Crane Supervisor selecting three persons in each category and selecting three months of January, February and March, 1982, is very difficult to interpret and appreciate at one glance the differing figures shown therein. Chiefly because of a number of variables in determining the figure of piece-rate earnings, the case that the total pay packet of the superior categories is very meagrely comparable to the pay packet of Drivers can easily be gathered from that exhibit. A 13 ton Crane Driver is still better placed heightening this disparity. In short, therefore, although the test of looking to the pay scales of supervisory categories and the rates of incentive premium granted to them has to be given due weight the character of supervisory category cannot be ignored. The incumbents in the supervisory categories of Shed Superintendents, Asstt. Shed Superintendents and Labour Supervisors are chiefly working in the administrative field whereas the disputed categories with whom we are concerned are working in the operative

field. The person in the administrative field should not be allowed to jeopardise the interests of the persons in the other field. There is some detachment in their field of working and that can be reckoned to invoke the aid of one more test led down by the Inter-Departmental Committee and that is the consideration of other relevant factors.

70. In this connection, the Bombay Port Trust Employees' Union is relying upon Dr. Ray's letter dated 10th of July, 1979. There is no dispute that the proposal embodied in that letter provides for giving to the Crane Tindels average of the piece-rate earnings of the Crane Drivers and giving similar average of the premium earned by Mobile Crane Drivers to the Mobile Crane Supervisors. The proposal also speaks of giving additional duties of taking over vehicles by the Crane Supervisor from out going Drivers and Crane Tindel relieving the Crane Driver in case of emergency. According to the Union, this amounts to a commitment made by the Port Trust Authorities. In the Board meeting Dr. Patel had also canvassed that position. On behalf of the employers however it is said that there is commitment and the reply given by the Chairman at the time of the Board meeting shows that the proposal had the inherent defect of not following the principle already accepted in the case of other supervisory categories. To find out whether the proposal amounts to a commitment having binding effect on the Bombay Port Trust, we may refer to the covering letter in exhibit W-4. As per that letter Dr. Ray had discussions with the Unions and thereafter he formulated schemes, one such being the scheme with which we are concerned; and those schemes were sent for comments. Even in the body of the proposal after reciting the existing system of payment to the concerned employees Dr. Ray uses the words "it is now suggested" and then follows the revised proposal. It was therefore only a suggestion. The expressions "for comments" and "it now suggested" would show that was no definite commitment or any definite offer. It is rather strange that a high officer of the rank of Dr. Ray, Director (Planning and Research) should persuade himself to lay for discussion a scheme which as now appears had ignored certain facets. The Chairman in the board meeting has said and not without substance that by granting full average to the Crane Tindels and Mobile Crane Supervisors, there will be repercussions. That is to say the whole wage structure in the Institution would become vulnerable. The supervisory categories of Shed Superintendents, Asstt. Shed Superintendents and Labour Supervisors having higher scale of pay may find themselves in a predicament that those inferior to them are benefited much more. True it is that work done by those persons and the work done by the disputed categories is in a different field. At the same time, complete upsetting of the apple cart cannot be encouraged and as such I would not like to go by the proposal contained in Dr. Ray's letter. It looks really unfortunate that had the Union immediately accepted the proposal in writing some different situation would have cropped up and there would have been high irregularity if not utter chaos. The Union does say that in November, 1980, they accepted the proposal in writing, and earlier they had orally indicated their acceptance of it. The letter was written at a time when it was known to them that the management was not at all inclined to go by that proposal. No concrete steps were taken to bring the decision in action after the alleged oral acceptance, and no clear reasons have been given for the same. In these circumstances, no legal obligations had arisen between the parties and in equity I do not find that the Bombay Port Trust authorities should be asked to honour that proposal.

71. But, that does not mean that granting 50 per cent average incentive is justified. It is true that Morpia and Hatch Foreman though not doing manual work receive full average like Mazdoors, but their case stands on a different footing. Their relationship with the Mazdoors at work is far more homogenous than the relationship between the Drivers on the one hand and the Tindels or Supervisors on the other hand although the latter can claim better connection with the Drivers than what the Supervisors on the administrative side could claim. It is in his light we are to appreciate the contention that their supervision is direct and continuous. Besides, Morpia and Hatch Foreman are comparatively low paid workers, almost at the bottom of

the ladder. Therefore, while deciding the case of Crane Tindels and Mobile Crane Supervisors comparison with Morpia and Hatch Foreman will not be of practical help.

72. Keeping in view the principle to consider the higher pay scales of the Supervisor on the administrative side I must also remain aware of the importance of giving enough weight to the promotional cadre of Tindels and Supervisors. Whether they accelerate the actual out turn of the operative work is a controversial subject. The duties assigned to them would show that they are of help to remove the stalemate if any in the assigned work. However, their place as superior in cadre ought to be protected taking into consideration even the incentive earnings. No precise material has been made available to show by how much the total pay packets differ. The Union made a vague claim of that difference being Rs. 150 to Rs. 300 per month. Perhaps, it is an exaggerated version. I would have therefore to go by rough estimate. The main reason for the adverse difference in the total pay packets of the superior cadre is the amount of incentive premium that is added to the salary. It appears that giving 50 per cent of the premium incentive causes a very great and acute discontent among the Crane Tindels and Mobile Crane Supervisors. The management appears very much alarmed if 100 per cent premium is granted. We will have therefore to choose the percentage in between these two figures. Giving a look at exhibit-11 and taking an over all view of the matter I feel advised to strike that middle by giving 85 per cent of the average of the piece-rate earnings to the Crane Tindels and to the Mobile Crane Supervisors. Parity between the two for getting such premium is not now disputed. Consequently, while answering clauses (a) and (b) of the specific matters in dispute my reply would be that the demand for premium equivalent to the average of the piece-rate earnings above the datum is not justified. But I would feel that they are entitled to the relief of getting 85 per cent of that average instead of 50 per cent of such average. The same in my opinion would be the relief to be granted to the Mobile Crane Supervisors. In fairness, they would have to do the additional duties as proposed in Dr. Ray's letter exhibit W-4.

73. The dispute regarding the Tally Clerks rests on finding out whether the amount of Rs. 750 given as lump sum payment for the arrears for the period 1-3-1979 to 7-12-1979 is proper or whether as demanded they should be given Rs. 1,000. It appears that the dispute is unnecessarily stretched too far. Oral evidence discloses that the tallying work is done both by Tally Clerks of the Bombay Port Trust and the Dock Labour Board. Exhibit-10 is the form to be maintained by the Tally Clerks of the Dock Labour Board and Exhibit-9 is the form maintained by the Bombay Port Trust Tally Clerks. Exhibit-9 contains some more material particulars such as the timings of the slings and condition of the packets, etc. Every time cargo is off loaded in the midstream or on the barges in the Dock, Dock Labour Board Tally Clerk alone works, but when subsequently the cargo is brought to the shore the Bombay Port Trust Tally Clerk comes on the scene; the Tally Clerk of the Dock Labour Board then does not come for tally work. Otherwise, both Tally Clerks work on the shore when the goods are unloaded. There is no dispute that the Bombay Port Trust Tally Clerk does more responsible work. The particulars in the form Exhibit-9 bear testimony to it. Witnesses for the management have admitted that their work is more authentic and relied upon for settling the claims of the customers. It is also gathered from witness No. 3 for the employers Shri Lewis that although the qualifications for working as a Tally Clerk are passing matriculation examination, by reason of absorption of those who were already working as Tally Clerks under private stevedores in the service of the Dock Labour Board a number of non-matriculants continue as Tally Clerks. It is also said by witness No. 3 for the workers, Parmeshwar Laxman Shende that many of the Tally Clerks working with the Bombay Port Trust are graduates. The Bombay Port Trust cadre thus consists of more educated persons and therefore more efficient. The work done by them cannot be under estimated.

74. It appears to have been found convenient that whenever question of paying arrears to different employees arose, complicated calculations were avoided and a lump sum was

fixed for all concerned persons then working with the Bombay Port Trust irrespective of their actual out turn of work. Each one falling in the category entitled to receive the amount, was given the same amount. That happened as Exhibit-6 shows when Rs. 1,000 were paid for the period 1st January, 1972 to 31st January, 1974. That happened when Rs. 900 were paid for the period 1st April, 1978 to 28th February, 1979. Corresponding categories of workers with the Dock Labour Board have received an identical amount. The pay scales for the corresponding categories of workers in both the Organisations has been identical admittedly for a number of years. Even when compensation for containerisation was given it was given alike to a person serving under the Board and a corresponding incumbent under the Bombay Port Trust. These factors must have its own force and it cannot be easily appreciated why the arrears for that very period to be given to the Tally Clerks of the Bombay Port Trust should be less than the amount received by Tally Clerks of the Dock Labour Board. Mr. Bhatkal for the Port Trust argues that there is no binding principle that the same amount must be given every time, to allied workers. According to him, a compromise was arrived at on the question of the rate of incentive premium and the question of working the arrears is a subsidiary one. Those arrears need not be the same for both Organisations. He relies upon the settlement exhibit E5 to show that even that question is settled and not open. Apparently, Mr. Bhatkal has before his eyes clause-1 of the Settlement exhibit E-5. That clause although referring to the payment of Rs. 750 as arrears in full and final settlement starts with the words showing the consent of the management alone to such payment. Clause-4 of the settlement embodies acceptance of that payment by the Union, but surely not on terms of full and final settlement, but with the express reservation that it will be without prejudice to the right to claim more, not exceeding Rs. 1,000. Mr. Bhatkal's contention on that ground therefore cannot be accepted. I could not also appreciate Mr. Bhatkal's argument that it was upto the Tally Clerks to find out what the amount would be by actual calculations. He suggested thereby that the Bombay Port Trust would be amenable to give that amount instead of Rs. 750. This argument ignores the basic fact that the entire record for making calculations is in the hands of the Bombay Port administration and if they do not propose to utilise the same, adverse inference can be drawn against them. It is the duty of the Bombay Port Trust to make calculations every time such occasion arises, whether the question is of arrears or is of regular prospective payment. In the absence of such calculations, it will be understood that they have not discharged the burden lying upon them to show that Rs. 750 is really much more than what each Tally Clerk would have got. That burden cannot be shifted. Simply by making an averment that Rs. 750 is more than what each would have got.

75. The case that a Tally Clerk of the Dock Labour Board by and large works on more turns, made out in the written statement of the management and by a blunt assertion by witness No. 3 for the management also has remained vague and general. That claim is denied by the witnesses for the workers.

76. The case must have therefore a rough shod solution. If in doing so one leans upon the past that is understandable and can easily be appreciated. In the past Bombay Dock Labour Board employees and the Bombay Port Trust employees, who are governed by similar scales of pay and similar incentive schemes received identical amount categorywise. Employees of the Port Trust received equal amount without going into individual different factors. It cannot be said that similar solution in the present case is inequitable or unjust until very cogent material to the contrary is coming forward. Not an iota of such material is brought on record. Consequently, I am inclined to accept the case of the workers that their claim of Rs. 1,000 per head is reasonable and stands substantiated by reason of similar payment for similar period made to the Tally Clerks of the Dock Labour Board whose work, in no way could be said to be superior to the work of Bombay Port Trust Tally Clerks. In my opinion the demand for Rs. 1,000 for the arrears for the period 1st March, 1972 to 12th July, 1979 is justified. I give my findings accordingly on point (c) of the Reference.

77. In the result, my findings are that the Crane Tindels attached to Hydraulic Establishment are entitled to the incentive premium equivalent to 85 per cent of the average premium earned by Crane Tindels and the Mobile Crane Supervisors are entitled to 85 per cent of the average premium

received by the Mobile Crane Drivers, together with the responsibility to do the additional duties shown in Dr. Ray's letter dated 10th July, 1980. On sub-clause (c), my finding is that the demand for Rs. 1,000 as arrears for 1st March 1979 to 7th December, 1979 is justified. I therefore pass the following order. In the circumstances of the case no order as to costs.

ORDER

- (a) The demand that the Crane Tindels attached to Hydraulic Establishment, Indira Dock, and Hydraulic Establishment, P&V Docks should, when employed in a section where ships' loading and/or unloading operations are carried out in shift, be paid a premium equivalent to the average of the piece-rate earnings above the datum of the Wharf Crane Drivers employed in that Section and in that shift and whose work comes under their supervision, instead of a premium equivalent to 50 per cent of such average already agreed to be paid is not justified. But, they are entitled to the relief of getting 85 per cent of that average as incentive premium, together with the obligation to relieve the Crane Driver in case of emergency.
- (b) The demand of the B.P.T. Employees' Union that the Mobile Crane Supervisor attached to a Section where ships' unloading operations are carried out in a shift, should be paid a premium equal to the average of the premium earned by the Mobile Crane Drivers working under him in that shift is not justified. But they are entitled to the relief of getting 85 per cent of that average as incentive premium, together with the obligation to take over vehicles from outgoing Drivers.
- (c) The demand of the B.P.T. Employees' Union that the Tally Clerks of the Docks Department of the Bombay Port Trust deployed on piece-work be paid an amount of Rs. 1,000 per head (including the amount of Rs. 750 per head already paid under the said settlement) as a lump sum payment in full and final settlement of their claims for arrears on account of the premium for the period from 1st March, 1979 to 7th December, 1979 is justified. They do receive Rs. 1,000 inclusive of Rs. 750 already paid.

78. No order as to costs.

C. T. DIGHE, Arbitrator
[L-31013/3/81/D-IVA]

T. B. SITARAMAN, Desk Officer

MINISTRY OF LABOUR

ORDER

New Delhi, the 23rd June, 1981

S.O. 1453.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen represented by BPT Employees, Union;

And, whereas, the said employers and their workmen have by a written agreement under sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement which was received by it on the 3rd June, 1981.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Name of the parties :

Representing employers—Shri T. V. Rangarajan, Chief Personnel & Industrial Relations Manager, Bombay Port Trust.

Representing workmen—Shri S. K. Shetye, General Secretary, B.P.T. Employees Union, Bombay.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri C. T. Dighe, Presiding Officer, Central Government Industrial Tribunal, 298, P. Nariman Street, Fort, Bombay-400001.

(i) Specific matters in dispute :

- (a) Whether the demand that the Crane Tindels attached to Hydraulic Establishment, Indira Dock, and Hydraulic Establishment, P & V Docks should, when employed in a section where ships' loading and/or unloading operations are carried out in shift, be paid a premium equivalent to the average of the piece-rate earnings above the datum of the Wharf Crane Drivers employed in that Section and in that shift and whose work comes under their supervision, instead of a premium equivalent to 50 per cent of such average already agreed to be paid, is justified? If not, are the Crane Tindels entitled to any other relief.
- (b) Whether the demand of the B.P.T. Employees' Union that the Mobile Crane Supervisor attached to a Section where ships' should be paid a premium equal to the average of the premium earned by the Mobile Crane Drivers working under him in that shift, is justified? If not, at what rate, he should be paid the premium.
- (c) Having regard to the Settlement dated 30th September, 1980, signed between the Management and the Union, whether the demand of the B.P.T. Employees' Union that the Tally Clerks of the Docks Department of the Bombay Port Trust deployed on piece-work be paid an amount of Rs. 1,000 per head (including the amount of Rs. 750 per head already paid under the said settlement) as a lump sum payment in full and final settlement of their claims for arrears on account of the premium for the period from 1st March, 1979 to 7th December, 1979 is justified?

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

- (1) The Board of Trustees of the Port of Bombay, Port Trust Administrative Offices, Shoorji Vallabhdas Marg, Bombay-400038.
- (2) The B.P.T. Employees Union, Port Trust Kamgar Sadan, Nawab Tank Road, Mazagaon, Bombay-400010.

On behalf of the Crane Tindels attached to Hydraulic Establishment, Indira Dock and Hydraulic Establishment, P&V Docks, Mobile Crane Supervisors and the Tally Clerks,

(iii) The name of the Union, if any representing the workmen or workmen—

B.P.T. Employees' Union,
Port Trust Kamgar Sadan,
Nawab Tank Road, Mazagaon,
Bombay-400010.

(iv) Total number of workmen employed in the undertaking affected

30,700

- (v) Estimated number of workmen affected or likely to be affected by the dispute

: 27 Crane Tindels,
3 M.C. Supervisors
500 Tally Clerks.

2. The arbitrator shall make his award within a period of three months from the date of publication of this agreement in the official Gazette by the Government or within such further time as is extended by mutual agreement between us in writing. In case the Award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Representing Workmen :

-/PS

(T. V. Rangarajan)
Chief Personnel & Industrial
Relations Manager.

Representing Workmen :

Sd/-

(S. K. Shetye)
General Secretary,
B.P.T. Employees Union.

Witness :

(1) Sd/-

(Smt. K. M. Pawar).

(2) Sd/-

(C. S. Valand)

[No. L-31013/3/81-D.IV(A)]

NAND LAL, Desk Officer

New Delhi, the 27th March, 1982

S.O. 1512.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad and their workmen, which was received by the Central Government on the 23rd March, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT :

Shri J. P. Singh, Presiding Officer.

Reference No. 25 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the Industrial Disputes Act, 1947

PARTIES :

Employers in relation to the management of Madhuband Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri B. K. Lath, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 16th March, 1982

AWARD

This is an industrial dispute under S. 10 of the I.D. Act, 1948. The Central Government by its order No. L-20012/55/76-D. III(A) dated 2nd May, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the demand of the workmen of Madhuband Office Nudkharkee, District Dhanbad that Shri Somar Mahato should be given re-employment by the management is justified? If so, to what relief is that workman entitled?"

2. The concerned workman Shri Somar Mahato was an employee of Madhuband Colliery from before the take over and nationalisation of this colliery. Prior to nationalisation the owner of the colliery was M/s. Oriental Coal Company. He was reinstated on 1-5-69 by virtue of an award of the Tribunal. Previously he was an employee from before in the clerical cadre and on the post of register keeper. The workman's case is that while the matter of implementation of the award was still pending with the management (private owner of the colliery) he and others were retrenched by an order dated 23-12-70. The workman who had been retrenched took up the matter with the local management but in the meantime the management of M/s. Oriental Coal Company was taken over by the Government from the Custodian General on 17-10-71. The case of the concerned workman is that he took up the matter with the Custodian General that he was a staff of Madhuband Colliery, but while the same was pending, the colliery was nationalised w.e.f. 1-5-72 under the management of M/s. Bharat Coking Coal Ltd. The concerned workman took up the matter with the management of BCCL personally and also through his union Rastriya Colliery Mazdoor Sangh. The Area Manager (Personnel) refused to consider the matter. Ultimately, an industrial dispute was raised with the Assistant Labour Commissioner (C) Dhanbad who held conciliation in the matter. The conciliation failed. The Government of India at the first instance refused to refer the dispute for adjudication, but subsequently this dispute has been referred for adjudication by this Tribunal.

3. It is admitted on behalf of the management that the concerned workman Shri Somar Mahato was a register keeper in the clerical cadre in the colliery during the time of the private management. It is also admitted that he along with others had been retrenched by the private management. It is further admitted that all the retrenched workmen except Sri Somar Mahato, the concerned workman have been taken into employment. With regard to non-employment of the concerned workman the plea taken in the written statement of the management is that the management of BCCL was bound to take only those workmen who were on the roll of the company prior to nationalisation. This concerned workman was not on the roll as he had been already retrenched. Another ground taken is that there had been reorganisation of the collieries by the BCCL and adjustments were made in the various jobs out of the existing strength and therefore there was no vacancy so as to give the concerned workman employment which he demanded.

4. In this case the concerned workman has produced some papers which had been taken into evidence. These documents have not been disputed. The management has examined only one witness, viz. Shri P. K. Roy, MW-1. Shri Roy had joined as Personnel Officer in Madhuband Colliery in June, 1972 and he continued upto November, 1974. He has said that in 1976 he was present at the time of conciliation of this dispute. According to his evidence no retrenched munshi was promoted to the post of register keeper and no person was appointed as register keeper in Madhuband Colliery. The management's case, as presented by MW-1 is that since no register keeper was appointed, the management was justified in refusing employment to the concerned workman. We will presently discuss his aspect of the case while considering the evidence of the workman both documentary and oral.

5. Ext. W. 1 is the retrenchment order passed by the employer of Madhuband Colliery, of M/s. Oriental Coal Company Limited. It is dated 23-12-70 Item No. 4 shows that out of 16 register keepers, 4 had been retrenched. It

will appear that out of 85 workmen, only 25 had been retrenched. The annexure to this document is Ext. W. 1/1, which shows the names of 25 retrenched workmen. Serial No. 13 is Shri Somar Mahato designated as register keeper with date of appointment on 1-5-69 as reinstated through Tribunal. Ext. W. 2 is a certificate dated 23-12-70 in the pen of Shri S. K. Dewan the manager of Madhuband colliery. This certificate shows that Shri Somar Mahato worked in Madhuband colliery since 23rd September, 1967 to 23rd December, 1970 as register keeper. This certificate also mentioned that unfortunately he had been retrenched from service by the management on 23-12-70. The certificate says that during his working period he had worked with entire satisfaction of the management. He wished him success in future. This letter is important because it is consistent with the workman's case of reinstatement w.e.f. 1-5-69 by virtue of tribunal's award. It means that he was in service of the colliery from before 1-5-69. The certificate Ext. W. 2 shows that he had been register keeper from 23-9-67 and may have been in the colliery even prior to that in some inferior capacity. The case of the workman is that he had passed I. A examination and even B.A. Part I examination. It has been submitted on behalf of the concerned workman that even the private management of the colliery was not sympathetic to the case of the concerned workman because the concerned workman had to fight out a case in the tribunal for reinstatement. According to the concerned workman, most of the retrenched workmen had been taken into employment shortly before the take over of the colliery by the Government through the Custodian General. But so far as this workman was concerned the private management of the colliery delayed the matter of reinstatement and even retrenched him before the take over. His case further was not considered by the erstwhile employer when others were brought to their service. His positive case is that he did not receive notice of employment from private owners and even thereafter by the Custodian General or from the BCCL. We will therefore notice that his case is based on vindictive attitude on the part of the erstwhile employer and the same attitude displayed even after the take over and nationalisation of the colliery. His main grievance is that although he had been representing his case before the Custodian General and the management of BCCL, both personally and through the union, nothing has been done for him. In this connection we have on record Exts. W. 3 and W. 4 Ext. W. 4 is dated 9-8-72. This is an application by Shri Somar Mahato to the Group Officer, Group No. 1, office at Bokaro Jharia colliery through the manager of Madhuband colliery. The nationalisation took effect from 1-5-72. It means that only 3 months after nationalisation the concerned workman approached the Group Officer through the manager, Madhuband colliery. Thereafter Ext. W. 3 is dated 17-12-75. This is a reply to the letter of Shri G. D. Pandey, authorised representative of Rastriya Colliery Mazdoor Sangh dated 9-12-75. This shows that the union also took up the matter of his employment with the Area Manager (Personnel), Area No. 1.

6. With regard to the oral evidence we have the evidence of the concerned workman, Shri Somar Mahato. He has deposed on all points concerning his case which we have elaborately put above. His evidence however is that all the workmen mentioned in Ext. W. 1/1 have been taken into service except him. His further case is that one Sukhdev Choudhury was appointed as register keeper in February, 1972 although he was a retrenched munshi. Ext. W.1/1 shows the name of one Sukhsagar as one of the retrenched munshi. WW-2, Shri Sibu Mahato was also one of the retrenched worker. His evidence is that Sukhsagar Choudhury was appointed as a munshi in 19A Incline after he and others were re-employed. Obviously, WW-1 has made a mistake in naming Sukhdev Choudhury. It appears that Sukhsagar Choudhury who was a munshi was re-employed as register keeper in February, 1972. Apparently this was before nationalisation because nationalisation took place in May, 1972. But the take over took place on 17-10-71. Now, if the evidence of WW-1 is accepted, some of the retrenched persons were taken into job after the take over. The case of the concerned workman is that erstwhile owner as well as the Custodian General made a pick and choose method and that his case was neglected because he had fought for his reinstatement before the Tribunal.

7. There is no doubt about the position of law. Under S. 25F of the Industrial Disputes Act, 1947 a retrenched worker has to be given preference to appointment of newer hands. In this case the concerned workman had been retrenched during the time of the private owner and before he could

get his employment take over and nationalisation took place. But so far this concerned workman has not got any employment. The oral evidence discussed by me above will show that the case of the concerned workman had been neglected were taken into job after the take over. The case of the by the private owner and subsequently by the Custodian General and BCCL. His case has been further discriminated from other workers who had been re-employed. This shows that one Sibsagar Choudhury who was a munshi and held a junior position before retrenchment was re-employed as a register keeper in February, 1972. It is a clear case of victimisation and discrimination. I have no doubt in my mind that with the nationalisation of the collieries there was ample scope for employment of the concerned workman who could be put to in any of the alternative jobs, but this was not done. I therefore hold that the requirement of law on the point of retrenchment has been ignored by the management of BCCL, an at least from the time of nationalisation the management of BCCL should have done justice to his case. It is further clear that the concerned workman should have been employed by the BCCL when the matter was brought to the notice of the management through the letter Ext. W. 4.

8. It is accordingly decided that the demand of the workmen of Madhuband colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad that Shri Somar Mahato should be given re-employment by the management is justified. He should therefore be re-employed w.e.f. the date of this reference i.e. 2nd May, 1981 as a register keeper, with all back wages w.e.f. 2-5-1981.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012(55)/76-D.III(A)]

New Delhi, the 27th March, 1982

S.O. 1513.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Khas Kusunda Colliery of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad and their workmen, which was received by the Central Government on the 23rd March, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 1/80

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Khas Kusunda Colliery of M/s. Bharat Coking Coal Ltd., P.O. Kusunda, Distt. Dhanbad.

AND

Their workmen.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. Bose, Secretary, R.C.M.S. Dhanbad.

INDUSTRY : Coal.

STATE : Bihar.

Dated, the 18th March, 1982

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) has referred the dispute to this Tribunal for adjudication under Order No. L-20012/117/79-D.III(A) dated the 22nd December, 1979.

SCHEDULE

"Whether the demand of the workmen of Khas Kusunda Colliery of M/s. Bharat Coking Coal Ltd., P.O. Kusunda, Dist. Dhanbad that Sarvashri Krishnadeo Prasad Yadav, Amrit Saw and Daya Singh should

be promoted as Clerk Grade I with retrospective effect is justified? If so, to what relief are the said workmen entitled?"

2. The case of the concerned workmen is that they are permanent employees prior to the take over of the management and they are in Clerk Grade II. They were previously employees of West Godhara Colliery which has since been merged with Khas Kusunda Colliery under the present management. It is stated that they are eligible for promotion to higher grade in clerical line of the establishment for which the management of Bharat Coking Coal Ltd., formulated a Scheme of promotion sometime in the year 1976. It is submitted that in accordance with the said scheme seniority is the main criteria for promotion.

3. It is alleged that by an office order dated 17-11-1977 the management of Bharat Coking Coal Ltd., through their office of General Manager, Area No. VI, Kusunda circulated 20 names of clerical Grade II promoting them to Clerk Grade I and the said list included 10 names of Grade II Clerk of Khas Kusunda Colliery, 2 names of Grade II Clerk of East Busserya Colliery and 8 names of Busserya Colliery. It is submitted that while promoting the aforesaid 20 clerks from Grade II to Grade I the cases of these concerned workmen were not considered in spite of the fact that they were senior in respect of many others who had been promoted. The concerned workmen represented their case before the management and thereafter there was a conciliation which ended in failure resulting in the present reference. It is submitted that the action of the management in not promoting the concerned workmen to Grade I and promoting junior clerks ignoring their claim is arbitrary and unjustified and illegal and that the concerned workmen have been deprived of their legitimate claim of promotion with effect from 1-6-1977. It is prayed that they should be promoted to Clerk Grade I with effect from the said date with consequential relief.

4. The management has contested the claim of the concerned workmen. According to them Shri K. P. Yadav and Sri Daya Singh were fixed in clerical Grade II on 1-5-1973 while Sri Amrit Saw was fixed in the said grade on 13-3-1972. It is then stated that the cases of these three concerned workmen were considered along with others for promotion to Clerk Grade I by the Departmental Promotion Committee (D.P.C.) which consisted of Area Manager (Technical) as Chairman with Sri S. K. Jha, Sri B. N. Jha and Sri R. N. P. Singh as members who considered the case of all the clerical staff in the office of the Area Manager, Area No. VI. It is submitted that the Promotion Committee after due deliberation recommended for promotion of 10 Grade II Clerks to Grade I out of 27 Grade II Clerks of Khas Kusunda Colliery. It is further submitted that the D.P.C. considered the seniority of the workmen besides their qualification and merits of each individual candidate and all the persons who get promotion were senior to Sri Daya Singh and Sri Krishna-deo Prasad Yadav. The persons recommended for promotion were either senior to them or were promoted or were working in Grade II clerk from 1-5-1973. It is admitted that Sri Amrit Saw was senior to some of the persons who got promotion but due to less qualification and being less meritorious than others he was not promoted. It is also submitted that promotion from one grade to another is the management's function and the Tribunal should hold that this matter cannot be adjudicated.

5. In the rejoinder filed on behalf of the workmen it is stated that they had no knowledge of any D.P.C. nor they were called for interview in the same nor their papers were considered and the action of the D.P.C. if any is illegal and arbitrary and the norms prescribed by the Bharat Coking Coal Ltd., for promotion were not followed which is an act of unfair labour practice as well as gross miscarriage of justice.

6. The point for consideration is as to whether the demand of the workmen of Khas Kusunda Colliery of Bharat Coking Coal Ltd., that the concerned workmen should be promoted as Clerk Grade I with retrospective effect is justified. If so to what relief they are entitled.

7. On behalf of the workmen all the three have been examined who have stated that they were not called for in the D.P.C. and the persons junior to them were promoted though the concerned workmen had good record of service. Exts. W-1 & W-2 are certain letters by the concerned workmen and

their union representing their claim. Ext. W-3 is the letter dated 17-11-1977 which would show that in all 20 Clerks were promoted to Grade I on the recommendation of the D.P.C. and they include 10 names of Khas Kusunda Colliery, 2 from East Busserya Colliery and 8 from Busserya Colliery. The name of the concerned workmen are not mentioned in it.

8. On behalf of the management the sole witness examined is Sri R. P. Singh, Personnel Officer who claims to be one of the members of the D.P.C. He has stated that the D.P.C. considered all the persons and then promotion list was prepared. He has further stated that the original D.P.C. report is not traceable. He has also proved two documents Exts. M-1 & M-2. Ext. M-1 is a list of certain clerks of Khas Kusunda Colliery and according to him on the basis of this list seniority list of Clerk Grade II was prepared which is marked Ext. M-2. Ext. M-2 is of Khas Kusunda Colliery. According to MW-1 the tick mark shown in red ink shows the names of the persons who were found fit for promotion by the D.P.C. This list as stated above is of Khas Kusunda Colliery only, but this list does not tally with the list of promotion given by the management vide Ext. W-3. Ext. M-2 would show that against 12 names tick marked in red ink has been given but the promotion was made of only 10 persons according to the Office Order Ext. W-3. The list Ext. M-2 thus does not represent the true state of affairs. Further from this list it will appear that Sri Amrit Saw one of the concerned workmen is in Sl. No. 9 and his date of working in clerical Grade II is given as 13-3-1972. This list would also show Sl. Nos. 15, 16, 21, 22 and 23 have been given promotion though their date of working in clerical Grade II is from 1-5-1973. Thus Sri Amrit Saw was senior to the other promotees as mentioned in Sl. Nos. 15, 16 and 21 to 23 by about more than one year. The other two concerned workmen Sri Daya Singh and Sri K. D. P. Yadav are working in Clerk Grade II from 1-5-73. It is no doubt true that Sl. Nos. 21, 22 and 23 are also working in Grade II from 1-5-1973 but the list Ext. M-2 would show that Sri Daya Singh and Sri K.D.P. Yadav are senior to Sl. Nos. 21 to 23 who have got promotion. No reason has been assigned nor any mention has been made in the remarks column of Ext. M-2 as to why the concerned workmen who were senior to the clerks promoted did not get promotion and their cases were ignored. According to MW-1 himself for promotion seniority-cum-efficiency performance are considered besides educational qualification. The D.P.C. papers were the most authentic document to show whether the cases of the concerned workmen were ignored as they were less efficient. The said document has been withheld on the ground that it is not traceable. It is not believable that such an important document will be found missing from the record of the management.

9. Further MW-1 has admitted in para 5 of his cross-examination that the Headquarter had issued instructions regarding the points to be considered for promotion and there is a cadre scheme for clerical employees in D.P.C. in which norms have been prescribed for promotion. The said document has also not been filed to show whether those norms have been followed by the D.P.C. or not.

10. It was conceded by the learned Advocate of the management that promotions from Grade II to Grade I are given area-wise and the seniority is considered area-wise and not colliery-wise. This is also apparent from the office order Ext. W-3 which shows that promotion was given area-wise and not colliery-wise. In that case the management should have filed the seniority list of the other two collieries also to show that the concerned workmen were junior to the clerks of other collieries who had got promotion. MW-1 has wrongly stated that the D.P.C. did not count Area No. VI as one unit and that each colliery was treated as a separate unit for the purpose of promotion. This fact as stated above is belied from the Office Order Ext. W-3 as also from the submission made on behalf of the management that promotions to Grade I are made area-wise. No reason has been assigned by the management as to why the seniority list of the other collieries of Area No. VI were not filed before this Court in order to find out whether the cases of the concerned workmen has been ignored or not.

11. As stated earlier, the D.P.C. report as also the cadre scheme of the management should have been filed to show whether the norms prescribed for promotion were followed by the D.P.C. or not. Those documents were called for on behalf of the concerned workmen but they have been purposely withheld. In such circumstance it is very difficult to

hold that the concerned workmen were rightly superseded by their juniors. Further it is a matter of general experience that seniority is the most vital thing for considering the cases of promotion and if juniors are promoted then that leads to dissatisfaction among the workmen which may result in loss of production and may hamper industrial peace.

12. It was the duty of the management to put all the cards before this Tribunal to show that no injustice was caused and the norms prescribed for promotion were followed by the D.P.C. But those papers have been withheld purposely.

13. In such circumstances, it must be held that the demand of the concerned workmen that they should be promoted as Clerk Grade I with retrospective effect is justified.

14. The question arises as to what relief they are entitled. This Tribunal cannot direct the management to give promotion to the concerned workmen with retrospective effect ignoring the claim of others. The proper relief will be that the decision held by the D.P.C. while considering the case of promotion is cancelled and the concerned workmen is kept at par with the workmen who had been promoted and a fresh D.P.C. should be constituted to consider the case afresh and promotions are to be given as per norms prescribed by the Headquarter. If the concerned workmen are senior and if they have got good record of service they should be promoted to Grade I and clerks junior to them should not get seniority above them.

15. To sum up I held that the action of the management in superseding the concerned workmen is unjustified. The management is directed to constitute a fresh D.P.C. and consider the case of the concerned workmen with retrospective effect alongwith the persons who had been promoted and give promotion to them if they are found suitable for the same as per norms prescribed by the Headquarters.

16. The award is given accordingly.

[No. L-20012(117)/79-D.III(A)]

J. N. SINGH, Presiding Officer.

New Delhi, the 27th March, 1982

S.O. 1514.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Barora Area No. I of Messrs Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad, and their workmen, which was received by the Central Government on the 23rd March, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT :

Shri J. P. Singh, Presiding Officer.

Reference No. 6 of 1982

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Barora Area No. 1 of Messrs Bharat Coking Coal Ltd., Post Office Nawagarh, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri S. P. Singh, Deputy Personnel Manager, Barora Area.

On behalf of the workman—Shri I. N. Bishior Ex-Head, Clerk, Barora Area.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 17th March, 1982

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012(303)/81-D.III(A) dated 23rd January, 1982 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

“Whether the action of the management of Barora colliery of Messrs Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad in superannuating Shri I. N. Bishior, Head Clerk from the 28th June, 1981 is justified? If not, to what relief is the workman concerned entitled?”

2. On receipt of the reference notices were issued to the parties for filing their written statement. But in the meanwhile on 6-3-82 the parties filed a memorandum of settlement in terms of which the concerned workman has been allowed to resume his duty immediately without any back wages. Since the term is beneficial to the parties, I accept the same and pass my award accordingly. The memorandum of settlement will form part of the award.

J. P. SINGH, Presiding Officer.

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF BCCL AREA NO. 1 AND THE WORKMAN UNDER RULE 58(4) OF THE INDUSTRIAL DISPUTE CENTRAL RULE 1957

Representing the Management Representing the workman.

1. Shri S. P. Singh, Dy. Personnel Manager, Barora Area.	1. Shri I. N. Bishior, Ex-Head Clerk, Barora Area.
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SHORT RECITAL OF THE CASE

Shri I. N. Bishior, Ex-Head clerk of Barora Area Office was superannuated on 28-6-81 on the basis of age recorded in Form 'B' register. After superannuation Shri Bishior alleged that he had not attained the age of 60 yrs. and as there is variation in the record i.e. C.M.P.F. record and Form 'B', he should be sent to Medical Board for age assessment.

On his request, he was sent to Medical Board and the Medical Board has assessed his age as 58 yrs. as on 21-1-1982. Further, Shri Bishior claimed for employment on the basis of the report of the Medical Board. This matter was discussed on various occasion and ultimately, the workman and the Management agreed to settle the issue on the following terms :—

TERMS OF SETTLEMENT

1. It was agreed that Shri I. N. Bishior will be allowed to resume his duty with immediate effect.
2. That there will be continuity of service for the purpose of gratuity.
3. That he will not claim for any back wages etc. for the period from 28-6-81 i.e. the date of superannuation to the date he is allowed to resume his duty.
4. The above terms of settlement resolve all the dispute with respect to employment of Shri I. N. Bishior.

PARTIES

1. Management's representatives. Workman's representative.

(S. P. Singh).

Dy Personnel Manager,
Barora Area.

(I. N. Bishior)
Ex-Head Clerk,

2.
Witness :—

Barora Area.

Dated : 22-2-82

[No. L-20012(303)/81-D. III(A)]
A. V. S. SARMA, Desk Officer

